

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 Sections 16-1 and 29B-1 as follows:

6 (720 ILCS 5/16-1) (from Ch. 38, par. 16-1)
7 Sec. 16-1. Theft.

8 (a) A person commits theft when he knowingly:

9 (1) Obtains or exerts unauthorized control over
10 property of the owner; or

11 (2) Obtains by deception control over property of
12 the owner; or

13 (3) Obtains by threat control over property of the
14 owner; or

15 (4) Obtains control over stolen property knowing
16 the property to have been stolen or under such
17 circumstances as would reasonably induce him to believe
18 that the property was stolen; or

19 (5) Obtains or exerts control over property in the
20 custody of any law enforcement agency which is explicitly
21 represented to him by any law enforcement officer or any
22 individual acting in behalf of a law enforcement agency
23 as being stolen, and

24 (A) Intends to deprive the owner permanently
25 of the use or benefit of the property; or

26 (B) Knowingly uses, conceals or abandons the
27 property in such manner as to deprive the owner
28 permanently of such use or benefit; or

29 (C) Uses, conceals, or abandons the property
30 knowing such use, concealment or abandonment
31 probably will deprive the owner permanently of such

1 use or benefit.

2 (b) Sentence.

3 (1) Theft of property not from the person and not
4 exceeding \$300 in value is a Class A misdemeanor.

5 (1.1) Theft of property not from the person and not
6 exceeding \$300 in value is a Class 4 felony if the theft
7 was committed in a school or place of worship.

8 (2) A person who has been convicted of theft of
9 property not from the person and not exceeding \$300 in
10 value who has been previously convicted of any type of
11 theft, robbery, armed robbery, burglary, residential
12 burglary, possession of burglary tools, home invasion,
13 forgery, a violation of Section 4-103, 4-103.1, 4-103.2,
14 or 4-103.3 of the Illinois Vehicle Code relating to the
15 possession of a stolen or converted motor vehicle, or a
16 violation of Section 8 of the Illinois Credit Card and
17 Debit Card Act is guilty of a Class 4 felony. When a
18 person has any such prior conviction, the information or
19 indictment charging that person shall state such prior
20 conviction so as to give notice of the State's intention
21 to treat the charge as a felony. The fact of such prior
22 conviction is not an element of the offense and may not
23 be disclosed to the jury during trial unless otherwise
24 permitted by issues properly raised during such trial.

25 (3) (Blank).

26 (4) Theft of property from the person not exceeding
27 \$300 in value, or theft of property exceeding \$300 and
28 not exceeding \$10,000 in value, is a Class 3 felony.

29 (4.1) Theft of property from the person not
30 exceeding \$300 in value, or theft of property exceeding
31 \$300 and not exceeding \$10,000 in value, is a Class 2
32 felony if the theft was committed in a school or place of
33 worship.

34 (5) Theft of property exceeding \$10,000 and not

1 exceeding \$100,000 in value is a Class 2 felony.

2 (5.1) Theft of property exceeding \$10,000 and not
3 exceeding \$100,000 in value is a Class 1 felony if the
4 theft was committed in a school or place of worship.

5 (6) Theft of property exceeding \$100,000 and not
6 exceeding \$500,000 in value is a Class 1 felony.

7 (6.1) Theft of property exceeding \$100,000 in value
8 is a Class X felony if the theft was committed in a
9 school or place of worship.

10 (6.2) Theft of property exceeding \$500,000 in value
11 is a Class X felony.

12 (7) Theft by deception, as described by paragraph
13 (2) of subsection (a) of this Section, in which the
14 offender obtained money or property valued at \$5,000 or
15 more from a victim 60 years of age or older is a Class 2
16 felony.

17 (c) When a charge of theft of property exceeding a
18 specified value is brought, the value of the property
19 involved is an element of the offense to be resolved by the
20 trier of fact as either exceeding or not exceeding the
21 specified value.

22 (Source: P.A. 91-118, eff. 1-1-00; 91-360, eff. 7-29-99;
23 91-544, eff. 1-1-00; 92-16, eff. 6-28-01.)

24 (720 ILCS 5/29B-1) (from Ch. 38, par. 29B-1)

25 Sec. 29B-1. (a) A person commits the offense of money
26 laundering when he knowingly engages or attempts to engage in
27 a financial transaction in criminally derived property with
28 either the intent to promote the carrying on of the unlawful
29 activity from which the criminally derived property was
30 obtained or where he knows or reasonably should know that the
31 financial transaction is designed in whole or in part to
32 conceal or disguise the nature, the location, the source, the
33 ownership or the control of the criminally derived property.

1 (b) As used in this Section:

2 (1) "Financial transaction" means a purchase, sale,
3 loan, pledge, gift, transfer, delivery or other
4 disposition utilizing criminally derived property, and
5 with respect to financial institutions, includes a
6 deposit, withdrawal, transfer between accounts, exchange
7 of currency, loan, extension of credit, purchase or sale
8 of any stock, bond, certificate of deposit or other
9 monetary instrument or any other payment, transfer or
10 delivery by, through, or to a financial institution. The
11 receipt by an attorney of bona fide fees for the purpose
12 of legal representation is not a financial transaction
13 for purposes of this Section.

14 (2) "Financial institution" means any bank; saving
15 and loan association; trust company; agency or branch of
16 a foreign bank in the United States; currency exchange;
17 credit union, mortgage banking institution; pawnbroker;
18 loan or finance company; operator of a credit card
19 system; issuer, redeemer or cashier of travelers checks,
20 checks or money orders; dealer in precious metals, stones
21 or jewels; broker or dealer in securities or commodities;
22 investment banker; or investment company.

23 (3) "Monetary instrument" means United States coins
24 and currency; coins and currency of a foreign country;
25 travelers checks; bearer negotiable instruments; bearer
26 investment securities; or bearer securities and
27 certificates of stock.

28 (4) "Criminally derived property" means: (A) any
29 property constituting or derived from proceeds obtained,
30 directly or indirectly, pursuant to a violation of the
31 Criminal Code of 1961, the Illinois Controlled Substances
32 Act or the Cannabis Control Act; or (B) any property
33 expressly or impliedly represented to be property
34 constituting or derived from proceeds obtained, directly

1 or indirectly, pursuant to a violation of this Code, the
2 Illinois Controlled Substances Act, or the Cannabis
3 Control Act.

4 (c) Sentence.

5 (1) Laundering of criminally derived property of a
6 value not exceeding \$10,000 is a Class 3 felony;

7 (2) Laundering of criminally derived property of a
8 value exceeding \$10,000 but not exceeding \$100,000 is a
9 Class 2 felony;

10 (3) Laundering of criminally derived property of a
11 value exceeding \$100,000 but not exceeding \$500,000 is a
12 Class 1 felony.

13 (4) Laundering of criminally derived property of a
14 value exceeding \$500,000 is a Class X felony.

15 (Source: P.A. 88-258.)

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