

1 AN ACT to amend the Criminal Code of 1961 by adding  
2 Section 12-5.05.

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

5 Section 5. The Criminal Code of 1961 is amended by  
6 adding Section 12-5.05 as follows:

7 (720 ILCS 5/12-5.05 new)

8 Sec. 12-5.05. Reckless corporate conduct.

9 (a) A corporate entity or corporate official commits  
10 reckless corporate conduct when the entity or official:

11 (1) conceals from authorities any product or  
12 process that may cause death or serious injury; or

13 (2) engages in conduct that results in death, that  
14 the corporate entity or corporate official knew or should  
15 have known would result in death, or that was reckless;  
16 or

17 (3) knowingly or recklessly endangers the public;  
18 or

19 (4) destroys or falsifies documents pertaining to  
20 hazards to the public or to the corporate entity's  
21 employees or agents.

22 (b) Sentence. Reckless corporate conduct in violation  
23 of paragraph (1), (2), or (3) of subsection (a) is a Class 3  
24 felony. Reckless corporate conduct in violation of paragraph  
25 (4) of subsection (a) is a Class 4 felony.

26 (c) The chief executive officer of the corporate entity  
27 and the corporate official who violates this Section are both  
28 criminally liable for the conduct of the corporate official  
29 who violates this Section.

30 (d) For the purposes of this Section:

31 (1) "corporate entity" means any corporation,

1 individual, unincorporated association, partnership,  
2 authority, or unit of local government organized or doing  
3 business in this State; and

4 (2) "corporate official" means an appropriate  
5 manager having management authority with respect to a  
6 product, service or practice, a corporate officer, a  
7 member of the board of directors, or an agent of the  
8 corporate entity.

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