

CRIMINAL JUSTICE STATUTORY DEFINITIONS

TABLE OF CONTENTS

PART I

Illinois Criminal Offense Guide - GENERAL DEFINITIONS

PART II

(720 ILCS 5/) Criminal Code of 2012.

Title I. General Provisions (5/1–1 to 5/3–8)

ARTICLE 2. GENERAL DEFINITIONS

ARTICLE 3. RIGHTS OF DEFENDANT

Title II. Principles of Criminal Liability (5/4–1 to 5/7–16)

ARTICLE 5. PARTIES TO CRIME

ARTICLE 6. RESPONSIBILITY

ARTICLE 7. JUSTIFIABLE USE OF FORCE; EXONERATION

Title III. Specific Offenses (5/8–1 to 5/33G–9)

Part B. Offenses Directed Against the Person (5/9–1 to 5/14–9)

ARTICLE 9. HOMICIDE. (5/9–1 to 5/9–3.5)

ARTICLE 10. KIDNAPING AND RELATED OFFENSES (5/10–1 to 5/10–10)

ARTICLE 11. SEX OFFENSES (5/11–0.1 to 5/11–45)

Subdivision 1. General Definitions (5/11–0.1)

Subdivision 5. Major Sex Offenses (5/11–1.10 to 5/11–6.6)

Subdivision 10. Vulnerable Victim Offenses (5/11–9.1 to 5/11–11)

Subdivision 15. Prostitution Offenses (5/11–14 to 5/11–19.3)

Subdivision 20. Pornography Offenses (5/11–20 to 5/11–26)

Subdivision 25. Other Offenses (5/11–30 to 5/11–45)

ARTICLE 12. BODILY HARM (5/12–0.1 to 5/12–38)

Subdivision 1. DEFINITIONS [720 ILCS 5/12-0.1]

Subdivision 5. ASSAULT AND BATTERY (5/12-1 to 5/12-3.9)

Subdivision 10. ENDANGERMENT (5/12-4.4a to 5/12-5.15)

Subdivision 15. INTIMIDATION (5/12-6 to 5/12-9)

Subdivision 20. MUTILATION (5/12-10.2 to 5/12-34)

Subdivision 25. OTHER HARM OFFENSES (5/12-34.5 to 5/12-38)

ARTICLE 12A. VIOLENT VIDEO GAMES

ARTICLE 12B. SEXUALLY EXPLICIT VIDEO GAMES

ARTICLE 12C. HARMS TO CHILDREN

Subdivision 1. Endangerment and Neglect Offenses (5/12C-5 to 5/12C-30)

Subdivision 5. Bodily Harm Offenses (5/12C-35 to 5/12C-50.1)

Subdivision 10. Curfew Offenses (5/12C-60)

Subdivision 15. Miscellaneous Offenses (5/12C-65 to 5/12C-70)

ARTICLE 14. EAVESDROPPING

Part C. Offenses Directed Against Property (5/15-1)

ARTICLE 15. Definitions (5/15-1 to 5/15-10)

ARTICLE 16. Theft and Related Offenses (5/16-0.1 to 5/16-40)

Subdivision 1. Definitions (5/16-0.1)

Subdivision 5. General Theft (5/16-1 to 5/16-22)

Subdivision 10. Retail Theft (5/16-25 to 5/16-28)

Subdivision 15. Identity Theft (5/16-30 to 5/16-37)

ARTICLE 17 – Deception [720 ILCS 5/17-0.5]

Subdivision 1. General Definitions (5/17-0.5)

Subdivision 5. Deception (5/17-1 to 5/17-5.7)

Subdivision 10. Fraud on a Governmental Entity (5/17-6 to 5/17-10.3)

Subdivision 15. Fraud on a Private Entity (5/17–10.5 to 5/17–10.7)

Subdivision 20. Fraudulent Tampering (5/17–11 to 5/17–30)

Subdivision 25. Credit and Debit Card Fraud (5/17–31 to 5/17–49.5)

Subdivision 30. Computer Fraud (5/17–50 to 5/17–55)

Subdivision 35. Miscellaneous Special Fraud (5/17–56 to 5/17–62)

ARTICLE 19. Burglary (5/19–1 to 5/19–6)

ARTICLE 20. Arson (5/20–1 to 5/20–2)

ARTICLE 21. Damage and Trespass to Property (5/21–1 to 5/21–11)

Subdivision 1. Damage to Property (5/21–1 to 5/21–1.5)

Subdivision 10. Miscellaneous Offenses (5/21–10 to 5/21–11)

ARTICLE 21.2. Interference with a Public Institution of Education (5/21.2–1 to 5/21.2–6)

Part D. Offenses Affecting Public Health, Safety and Decency

ARTICLE 24. Deadly Weapons (5/24–1 to 5/24–10)

ARTICLE 24.8. Air Rifles (5/24.8–0.1 to 5/24.8–6)

ARTICLE 26. Disorderly Conduct (5/26–1 to 5/26–7)

ARTICLE 26.5. Harassing and Obscene Communications (5/26.5–0.1 to 5/26.5–5)

ARTICLE 28. Gambling and Related Offenses (5/28–1 to 5/28–9)

ARTICLE 29B. Money Laundering (5/29B–0.5 to 5/29B–27)

ARTICLE 29d. Terrorism (5/29D–5 to 5/29D–99)

Part E. Offenses Affecting Governmental Functions (5/30–1 to 5/33–9)

ARTICLE 31. Interference with Public Officers (5/31–1 to 5/31–9)

ARTICLE 31a. Interference with Penal Institution (5/31A–0.1 to 5/31A–1.2)

ARTICLE 32. Interference with Judicial Procedure (5/32–1 to 5/32–15)

ARTICLE 33. Official Misconduct (5/33–1 to 5/33–9)

Part F. Certain Aggravated Offenses (5/33A–1 to 5/33G–9)

ARTICLE 33a. Armed Violence (5/33A–1 to 5/33A–3)

ARTICLE 33f. Unlawful Use of Body Armor (5/33F–1 to 5/33F–3)

ARTICLE 33g. Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law (5/33G–1 to 5/33G–9)

Title V. Added Articles (5/36–1 to 5/49–6)

ARTICLE 48. Animals (5/48–1 to 5/48–11)

ARTICLE 49. Miscellaneous Offenses (5/49–1 to 5/49–6)

ADDITIONAL ACTS IN CHAPTER 720

Act 542. Bath Salts Prohibition Act (542/1 to 542/25)

Act 550. Cannabis Control Act (550/1 to 550/19)

Act 570 - Illinois Controlled Substances Act.

Act 600. Drug Paraphernalia Control Act (600/1 to 600/7)

Act 602. Ephedra Prohibition Act (602/1 to 602/99)

Act 642. Kratom Control Act (642/1 to 642/5)

Act 646. Methamphetamine Control and Community Protection Act (646/1 to 646/999)

Act 648. Methamphetamine Precursor Control Act (648/1 to 648/999)

Act 649. Methamphetamine Precursor Tracking Act (649/1 to 649/999)

**Act 675. Prevention of Tobacco Use by Persons Under 21 Years of Age and Sale and
Distribution of Tobacco Products Act (675/0.01 to 675/2)**

Act 677. Display of Tobacco Products Act (677/1 to 677/999)

**Act 678. Prevention of Cigarette and Electronic Cigarette Sales to Persons Under 21 Years
of Age Act (678/1 to 678/99)**

Act 685. Tobacco Accessories and Smoking Herbs Control Act (685/1 to 685/5)

PART III

Chapter 725. Criminal Procedure

Act 167. Freedom from Drone Surveillance Act

PART IV

Chapter 740. Civil Liabilities

Act 147. Illinois Streetgang Terrorism Omnibus Prevention Act

PART V

Chapter 750. Families

Act 60. Illinois Domestic Violence Act of 1986

XX

PART I

Illinois Criminal Offense Guide

GENERAL DEFINITIONS

A

“**Abandon**” means to desert or knowingly forsake an elderly or disabled person under circumstances in which a reasonable person would continue to provide care and custody. Abuse or criminal neglect of a long-term care facility resident; criminal abuse or neglect of an elderly person or person with a disability. (720 ILCS 5/ 12-4.4(a))

“**Abuse**” means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis. (725 ILCS 5/112A-3)

“**Acquittal**” means a verdict or finding of not guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. (720 ILCS 5/2-1)

“**Act**” includes a failure or omission to take action. (720 ILCS 5/2-2)

“**Adult obscenity or child pornography Internet site**” means a site on the Internet that contains material that is obscene as defined in Section 11-20 of this Code or that is child pornography as defined in Section 11-20.1 of this Code. Posting of identifying or graphic information on a pornographic Internet site or possessing graphic information with pornographic material. (720 ILCS 5/ 11-23(a))

“**Agent**” *means* any director, officer, servant, employee, or other person who is authorized to act in behalf of the corporation. (720 ILCS 5/5-4)

“**Aggregate value**” for purposes of the offense of Criminal Defacement of Property shall be determined by adding the value of the damage to one or more properties if the offenses were committed as part of a single course of conduct. Criminal defacement of property. (720 ILCS 5/ 21-1.3(b))

“**Airman**” and “**Airport**” in this Section are defined to incorporate the meaning ascribed to those terms in Sections 6 and 12 of the Illinois Aeronautics Act. Criminal trespass to restricted areas and restricted landing areas at airports; aggravated criminal trespass to restricted areas and restricted landing areas at airports. Criminal trespass to restricted areas and restricted landing areas at airports; aggravated criminal trespass to restricted areas and restricted landing areas at airports. (720 ILCS 5/21-7)

*“**Alcoholic liquor**” *includes* alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being. (235 ILCS 5/ 1-3.05). “**Alcoholic liquor**” *also includes* alcohol-infused products. See 235 ILCS 5/1-3.05 P.A. 103-904, eff. 1-1-25.

“**Anxiety**” *means* excessive worry and apprehensive expectations, occurring more days than not for at least 6 months, about a number of events or activities, such as work or school performance and is associated with 3 or more of the following 6 symptoms with at least some symptoms present for more days than not for the past 6 months:

- (1) restlessness or feeling keyed up or on edge;
- (2) easily fatigued;
- (3) difficulty concentrating or mind going blank;

(4) irritability;
(5) muscle tension; and
(6) sleep disturbance such as difficulty falling or staying asleep, or restless and unsatisfying sleep.
The anxiety, worry, or physical symptoms cause clinically significant distress or impairment in social, occupational, or other important areas of functioning. 720 ILCS 5/12-7.5I(0.5). **Public Act 103-183 (Eff: 1-1-24)**

“Another” means a person or persons as defined in this Code other than the offender. (720 ILCS 5/2-3)

“Armed with a dangerous weapon” means a person who carries on or about his or her person or is otherwise armed with a Category I, Category II, or Category III weapon. Armed Violence. (720 ILCS 5/33A-1I)

“Armed with a firearm”. Except as otherwise provided in a specific Section, a person is considered “armed with a firearm” when he or she carries on or about his or her person or is otherwise armed with a firearm. (720 ILCS 5/2-3.6)

“Armor piercing bullet” means any handgun bullet or handgun ammunition with projectiles or projectile cores constructed entirely (excluding the presence of traces of other substances) from tungsten alloys, steel, iron, brass, bronze, beryllium copper or depleted uranium, or fully jacketed bullets larger than 22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25% of the total weight of the projectile, and excluding those handgun projectiles whose cores are composed of soft materials such as lead or lead alloys, zinc or zinc alloys, frangible projectiles designed primarily for sporting purposes, and any other projectiles or projectile cores that the U.S. Secretary of Treasury finds to be primarily intended to be used for sporting purposes or industrial purposes or that otherwise does not constitute “armor piercing ammunition” as that term is defined by federal law. Unlawful use of firearm projectiles. (720 ILCS 5/24-2.1)

“Arranges” See Part II. (720 ILCS 5/11-0.1 new)

“Attempts to commit suicide” means any act done with the intent to commit suicide and which constitutes a substantial step toward commission of suicide. Inducement to Commit Suicide. (720 ILCS 5/12-31(a)(1)(ii))

“Audio visual recording” means any phonograph record, disc, pre-recorded tape, film, wire, magnetic tape or other object, device or medium, now known or hereafter invented, by which sounds or images may be reproduced with or without the use of any additional machine, equip. or device. Unlawful use of recorded sounds or images. (720 ILCS 5/16-7(a)(1))

“Audiovisual recording function” means the capability of a device to record or transmit a motion picture or any part of a motion picture by means of any technology now known or later developed and “facility” does not include a personal residence. Criminal use of a motion picture exhibition facility. Criminal use of a motion picture exhibition facility. (720 ILCS 5/21-10)

B

“Beautifies” means to landscape, clean up litter, or to repair dilapidated conditions on or to board up windows and doors. Criminal trespass to real property. (720 ILCS 5/21-3)

“Billy club” means a short stick or club commonly carried by police officers which is either telescopic or constructed of a solid piece of wood or other man-made material. Unlawful Use of Weapons. (720 ILCS 5/24-1)

“Body Armor” means any one of the following: (1) A military style flak or tactical assault vest which is made of Kevlar or any other similar material or metal, fiberglass, plastic, and nylon plates and designed to be worn over one’s clothing for the intended purpose of stopping not only missile fragmentation from mines, grenades, mortar shells and artillery fire but also fire from rifles, machine guns, and small arms. (2) Soft body armor which is made of Kevlar or any other similar material or metal or any other type of insert and which is lightweight and pliable and which can be easily concealed under a shirt. (3) A military style recon/surveillance vest which is made of Kevlar or any other similar material and which is lightweight and designed to be worn over one’s clothing. (4) Protective casual clothing which is made of Kevlar or any other similar material and which was originally intended to be used by undercover law enforcement officers or dignitaries and is designed to look like jackets, coats, raincoats, quilted or three-piece suit vests. Unlawful use of body armor. (720 ILCS 5/ 33F-1).

“Bookmaking” is the receiving or accepting of such bets or wagers regardless of the form or manner in which the bookmaker records them. Syndicated gambling. (720 ILCS 5/ 28-1.1(d)).

“Bolo shell” means any shell that can be fired in a firearm and expels as projectiles 2 or more metal balls connected by solid metal wire. Unlawful use of firearm projectiles. (720 ILCS 5/ 24-2.1) and Unlawful discharge of firearm projectiles. (720 ILCS 5/24-3.1)

C

“Caregiver” means a person who has a duty to provide for an elderly person or the health and personal care of a person with a disability, at such person’s place of residence. Abuse or criminal neglect of a long-term care facility resident; criminal abuse or neglect of an elderly person or person with a disability. (720 ILCS 5/12-4.4a)

“Cartridge” means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap. Unlawful Use of Weapons. (720 ILCS 5/24-1)

“Child” means a person under the age of 18 years or was a person with a severe or profound intellectual disability. Child Abduction. (720 ILCS 5/ 10-5(a)(1) and 2-10.1) Amended by Public Act 99-0143. Eff: 1-1-16.

“Child” means a person under 17 years of age. Indecent solicitation of a child. (720 ILCS 5/ 11-6(a))

“Child” means a person under 18 years of age. Ritualized abuse of a child. (720 ILCS 5/ 12-33(a)(1))

“Child sex offender” Presence within school zone by child sex offenders prohibited; approaching, contacting, residing with, or communicating with a child within certain places by child sex offenders prohibited. (720 ILCS 5/ 11-9.2I(1)).

“Clinical Treatment Plan” has the meaning ascribed to it in Section 10 of the Drug Court Treatment Act. Conditions of probation and of conditional discharge. 730 ILCS 5/5–6–3. P.A. 103-391. (Eff: 1-1-24).

“Coach” means a person recognized as a coach by the sanctioning authority that conducted the athletic contest. Aggravated Assault. (720 ILCS 5/ 12-2(a)(17)) Also see Part III.

“Coin-operated machine” See Part IV. (720 ILCS 5/16-0.1 new)

“Commercial sexual activity” means any sex act on account of which anything of value is given, promised to, or received by any person. Trafficking in persons, involuntary servitude, and related offenses. (720 ILCS 5/ 10-9(b)(1))

“Community agency” See Part II. (720 ILCS 5/11-0.1 new)

“Community policing volunteer” means a person who is summoned or directed by a peace officer or any person actively participating in a community policing program and who is engaged in lawful conduct intended to assist any unit of government in enforcing any criminal or civil law. For the purpose of this Section, “community policing program” means any plan, system or strategy established by and conducted under the auspices of a law enforcement agency in which citizens participate with and are guided by the law enforcement agency and work with members of that agency to reduce or prevent crime within a defined geographic area. (720 ILCS 5/2-3.5)

“Computer” See Part IV. (720 ILCS 5/16-0.1 new)

“Conceal” means the performing of some act or acts for the purpose of preventing or delaying the discovery of a death by homicidal means. **“Conceal”** means something more than simply withholding knowledge or failing to disclose information. Murder. (720 ILCS 5/9-1), Concealment of homicidal death. (720 ILCS 5/9-3.4) & Concealment of death. (720 ILCS 5/9-3.5)

“Conduct” means an act or a series of acts, and the accompanying mental state. (720 ILCS 5/2-4)

“Consent” means a freely given agreement to the act of sexual penetration or sexual conduct in question. (720 ILCS 5/11-1.70) Also see Part II.

“Contacts or communicates electronically” includes but is not limited to, any attempt to make contact or communicate telephonically or through the Internet or text messages. Luring of a minor. (720 ILCS 5/10-5.1)

“Container” See Part IV. (720 ILCS 5/16-0.1 new)

“Continuing course of conduct” See Part IV. (720 ILCS 5/16-0.1 new)

“Controlled substance analog” or an **“analog”** means a substance other than a controlled substance, that has a chemical structure substantially similar to that of a controlled substance in Schedule I or II, or that was specifically designed to produce an effect substantially similar to that of a controlled substance in Schedule I or II. (720 ILCS 570/ 401(a)(1)(A)) Amended by Public Act 99-0371. Effective: 1-1-16.

“Conviction” means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. (720 ILCS 5/2-5)

“Correctional institution employee” means any person employed to supervise and control inmates incarcerated in a penitentiary, State farm, reformatory, prison, jail, house of correction, police detention area, half-way house, or other institution or place for the incarceration or custody of persons under sentence for offenses or awaiting trial or sentence for offenses, under arrest for an offense, a violation of probation, a violation of parole, or a violation of mandatory supervised release, or awaiting a bail setting hearing or preliminary hearing, or who are sexually dangerous persons or who are sexually violent persons. **Resisting or obstructing a peace officer, firefighter, or correctional institution employee.** (720 ILCS 5/ 31-1)

“Counterfeit” means to copy or imitate, without legal authority, with intent to deceive. (430 ILCS 65/ 1.1)

“Course of conduct” means 2 or more acts, including but not limited to acts in which a defendant directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, engages in other non-consensual contact, or interferes with or damages a person’s property or pet. A course of conduct may include contact via electronic communications. Stalking. (720 ILCS 5/12-7.3) and Cyberstalking. (720 ILCS 5/12-7.5)

“Courthouse” means any building that is used by the Circuit, Appellate, or Supreme Court of this State for the conduct of official business. Unlawful Use of Weapons. (720 ILCS 5/24-1)

“Criminal street gang” has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act (740 ILCS 147/ 10)

“Criminally derived property” means (A) any property constituting or derived from proceeds obtained, directly or indirectly, pursuant to a violation of the Criminal Code of 1961, the Illinois Controlled Substances Act or the Cannabis Control Act; or (B) any property represented to be property constituting or derived from proceeds obtained, directly or indirectly, pursuant to a violation of this Code, the Illinois Controlled Substances Act, or the Cannabis Control Act. Money laundering. (720 ILCS 5/ 29B-1)

“Currently valid Firearm Owner’s Identification Card” means (i) a Firearm Owner’s Identification Card that has not expired or (ii) if the transferor is licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923), an approval number issued in accordance with Section 3.1 of the Firearm Owners Identification Card Act shall be proof that the Firearm Owner’s Identification Card was valid. Unlawful Sale of Firearms. (720 ILCS 5/24-3)

“Custodial interrogation” means any interrogation during which (i) a reasonable person in the subject’s position would consider himself or herself to be in custody and (ii) during which a question is asked that is reasonably likely to elicit an incriminating response. Prohibition of Deceptive Tactics. 725 ILCS 5/103-2.2. Added by P.A. 102-101 (Eff: 1-1-22)

“Custody” means: (i) pretrial incarceration or detention; (ii) incarceration or detention under a sentence or commitment to a State or local penal institution; (iii) parole, aftercare release, or mandatory supervised release; (iv) electronic monitoring or home detention; (v) probation; (vi) detention or civil commitment either in secure care or in the community under the Sexually Violent Persons Commitment Act. (725 ILCS 207/1) (See 720 ILCS 5/11-9.2)

D

“Day care center” has the meaning ascribed to it in Section 2.09 of the Child-Care Act of 1969. (720 ILCS 5/2.09) Also see Part II. (720 ILCS 5/11-0.1 new)

“Day care home” has the meaning ascribed to it in Section 2.18 of the Child-Care Act of 1969. (720 ILCS 5/2.18) Also see Part II. (720 ILCS 5/11-0.1 new)

“Deception” means the knowing communication of false facts about evidence or unauthorized statements regarding leniency by a law enforcement officer or juvenile officer to a subject of custodial interrogation. Prohibition of Deceptive Tactics. 725 ILCS 5/103-2.2. Added by P.A. 102-101 (Eff: 1-1-22)

“Delinquent child” means any boy who before his 17th birthday or girl who before her 18th birthday violates or attempts to violate any federal or state law or municipal ordinance, and also any person under 21 years of age who has violated a lawful court order made under the Juvenile Court Act. (720 ILCS 130/1(a)). Repealed by P.A. 97-1109, § 10-935, eff. Jan. 1, 2013

“**Deliver**” or “**delivery**” means the actual, constructive, or attempted transfer of possession of hazardous waste, with or without consideration, whether or not there is an agency relationship. (415 ILCS 5/ 44I(1))

“**Detains**” means taking or retaining physical custody of a child, whether or not the child resists or objects. Child Abduction. (720 ILCS 5/10-5)

“**Digital signature**” is defined in the Financial Institutions Digital Signature Act (205 ILCS 705/ 1 et.seq.)

“**Direct contact**” means physical contact or proximity where physical contact is possible, including, but not limited to, any proximity without a permanent physical barrier or sufficient vertical height designed to prevent physical contact between the public and a covered animal. Wild Animal Public Safety Act. (520 ILCS 35/5). P.A. 103-239 (Eff: 1-1-24).

[THIS PUBLICATION HAS A TOTAL OF 164 PAGES OF INFORMATION]