

**9.00**  
**SEX OFFENSES**

**9.01**  
**Definition Of Indecent Solicitation Of A Child**

[1] A person 17 years of age or older commits the offense of indecent solicitation of a child if the person, with the intent that the offense of [(aggravated criminal sexual assault) (criminal sexual assault) (predatory criminal sexual assault of a child) (aggravated criminal sexual abuse)] be committed, knowingly solicits [(a child under the age of 17 years) (one whom he believes to be a child under the age of 17 years)] to perform an act of sexual [(penetration) (conduct)].

[or]

[2] A person 17 years of age or older commits the offense of indecent solicitation of a child if the person knowingly discusses an act of sexual [(conduct) (penetration)] with [(a child under the age of 17 years) (one whom he believes to be a child under the age of 17 years)] by means of the Internet with the intent that the offense of [(aggravated criminal sexual assault) (predatory criminal sexual assault of a child) (aggravated criminal sexual abuse)] be committed.

[It is not a defense to this offense that the person did not solicit the child to perform an act of sexual [(conduct) (penetration)] with the person.]

**Committee Note**

720 ILCS 5/11-6 (West 2023).

This Instruction has been revised to conform with the rewriting and amendment of 720 ILCS 5/11-6 (West 2023), as acknowledged by the Illinois Appellate Court in *People v. Carter*, 405 Ill.App.3d 246, 939 N.E.2d 46 (1st Dist. 2010).

Give Instruction 9.02.

When applicable, give Instruction 11.57 defining “aggravated criminal sexual assault”.

When applicable, give Instruction 11.55 defining “criminal sexual assault”.

When applicable, give Instruction 11.103 defining “predatory criminal sexual assault of a child”.

When applicable, give Instruction 11.61 defining “aggravated criminal sexual abuse”.

When applicable, give Instruction 9.01C defining “solicit”.

When applicable, give Instruction 11.65E defining “sexual penetration”.

When applicable, give Instruction 11.65D defining “sexual conduct”.

When applicable, give Instruction 4.41 defining “access”.

When applicable, give Instruction 4.42 defining “Internet”.

When applicable, give Instruction 4.43 defining “online”.

When applicable, give Instruction 4.44 defining “wireless device”.

When applicable, give Instruction 4.45 defining “computer”.

The offense option of criminal sexual assault cannot be used with alternative [2]. *See* 720 ILCS 5/11-6(a-5) (West 2023).

It is also not a defense to Section 11-6(a-5) that the person did not solicit the child to perform sexual conduct or sexual penetration with the person. *See* 720 ILCS 5/11-6(a-6) (West 2022). When this issue is raised and the person is charged under Section 11-6(a-5), the committee suggests giving the last-bracketed sentence with alternative [2].

Use applicable bracketed material.

The brackets and numbers are present solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.