



Rep. Jerry F. Costello, II

Filed: 3/21/2014

09800HB4269ham002

LRB098 15877 MRW 57291 a

1 AMENDMENT TO HOUSE BILL 4269

2 AMENDMENT NO. _____. Amend House Bill 4269 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 19-5 as follows:

6 (720 ILCS 5/19-5) (from Ch. 38, par. 19-5)

7 Sec. 19-5. Criminal fortification of a residence or
8 building.

9 (a) A person commits ~~the offense of~~ criminal fortification
10 of a residence or building when, with the intent to prevent the
11 lawful entry of a law enforcement officer or another, he or she
12 maintains a residence or building in a fortified condition,
13 knowing that the ~~such~~ residence or building is used for the
14 unlawful manufacture, storage with intent to deliver or
15 manufacture, delivery, or trafficking of cannabis, controlled
16 substances, or methamphetamine as defined in the Cannabis

1 Control Act, the Illinois Controlled Substances Act, or the
2 Methamphetamine Control and Community Protection Act.

3 (b) "Fortified condition" means preventing or impeding
4 entry through the use of steel doors, wooden planking,
5 crossbars, alarm systems, dogs, video surveillance, motion
6 sensing devices, booby traps, or other similar means. If video
7 surveillance is the sole component of the fortified condition,
8 the video surveillance must be with the intent to alert an
9 occupant to the presence of a law enforcement officer for the
10 purpose of interfering with the official duties of a law
11 enforcement officer, allowing removal or destruction of
12 evidence, or facilitating the infliction of harm to a law
13 enforcement officer. For the purposes of this Section, "booby
14 trap" means any device, including but not limited to any
15 explosive device, designed to cause physical injury or the
16 destruction of evidence, when triggered by an act of a person
17 approaching, entering, or moving through a structure.

18 (c) Sentence. Criminal fortification of a residence or
19 building is a Class 3 felony.

20 (d) This Section does not apply to the fortification of a
21 residence or building used in the manufacture of
22 methamphetamine as described in Sections 10 and 15 of the
23 Methamphetamine Control and Community Protection Act.

24 (Source: P.A. 94-556, eff. 9-11-05.)".