

1 AN ACT concerning 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 2012 is amended by changing
5 Sections 12-0.1, 12-2, 12-3.05, 24-1.2, and 24-1.2-5 as
6 follows:

7 (720 ILCS 5/12-0.1)

8 Sec. 12-0.1. Definitions. In this Article, unless the
9 context clearly requires otherwise:

10 "Bona fide labor dispute" means any controversy concerning
11 wages, salaries, hours, working conditions, or benefits,
12 including health and welfare, sick leave, insurance, and
13 pension or retirement provisions, the making or maintaining of
14 collective bargaining agreements, and the terms to be included
15 in those agreements.

16 "Coach" means a person recognized as a coach by the
17 sanctioning authority that conducts an athletic contest.

18 "Correctional institution employee" means a person
19 employed by a penal institution.

20 "Emergency medical services personnel technician" has the
21 meaning specified in Section 3.5 of the Emergency Medical
22 Services (EMS) Systems Act and shall include all ambulance crew
23 members, including drivers or pilots ~~includes a paramedic,~~

1 ~~ambulance driver, first aid worker, hospital worker, or other~~
2 ~~medical assistance worker.~~

3 "Family or household members" include spouses, former
4 spouses, parents, children, stepchildren, and other persons
5 related by blood or by present or prior marriage, persons who
6 share or formerly shared a common dwelling, persons who have or
7 allegedly have a child in common, persons who share or
8 allegedly share a blood relationship through a child, persons
9 who have or have had a dating or engagement relationship,
10 persons with disabilities and their personal assistants, and
11 caregivers as defined in Section 12-4.4a of this Code. For
12 purposes of this Article, neither a casual acquaintanceship nor
13 ordinary fraternization between 2 individuals in business or
14 social contexts shall be deemed to constitute a dating
15 relationship.

16 "In the presence of a child" means in the physical presence
17 of a child or knowing or having reason to know that a child is
18 present and may see or hear an act constituting an offense.

19 "Park district employee" means a supervisor, director,
20 instructor, or other person employed by a park district.

21 "Person with a physical disability" means a person who
22 suffers from a permanent and disabling physical
23 characteristic, resulting from disease, injury, functional
24 disorder, or congenital condition.

25 "Private security officer" means a registered employee of a
26 private security contractor agency under the Private

1 Detective, Private Alarm, Private Security, Fingerprint
2 Vendor, and Locksmith Act of 2004.

3 "Probation officer" means a person as defined in the
4 Probation and Probation Officers Act.

5 "Sports official" means a person at an athletic contest who
6 enforces the rules of the contest, such as an umpire or
7 referee.

8 "Sports venue" means a publicly or privately owned sports
9 or entertainment arena, stadium, community or convention hall,
10 special event center, or amusement facility, or a special event
11 center in a public park, during the 12 hours before or after
12 the sanctioned sporting event.

13 "Streetgang", "streetgang member", and "criminal street
14 gang" have the meanings ascribed to those terms in Section 10
15 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

16 "Transit employee" means a driver, operator, or employee of
17 any transportation facility or system engaged in the business
18 of transporting the public for hire.

19 "Transit passenger" means a passenger of any
20 transportation facility or system engaged in the business of
21 transporting the public for hire, including a passenger using
22 any area designated by a transportation facility or system as a
23 vehicle boarding, departure, or transfer location.

24 "Utility worker" means any of the following:

25 (1) A person employed by a public utility as defined in
26 Section 3-105 of the Public Utilities Act.

1 (2) An employee of a municipally owned utility.

2 (3) An employee of a cable television company.

3 (4) An employee of an electric cooperative as defined
4 in Section 3-119 of the Public Utilities Act.

5 (5) An independent contractor or an employee of an
6 independent contractor working on behalf of a cable
7 television company, public utility, municipally owned
8 utility, or electric cooperative.

9 (6) An employee of a telecommunications carrier as
10 defined in Section 13-202 of the Public Utilities Act, or
11 an independent contractor or an employee of an independent
12 contractor working on behalf of a telecommunications
13 carrier.

14 (7) An employee of a telephone or telecommunications
15 cooperative as defined in Section 13-212 of the Public
16 Utilities Act, or an independent contractor or an employee
17 of an independent contractor working on behalf of a
18 telephone or telecommunications cooperative.

19 (Source: P.A. 99-143, eff. 7-27-15.)

20 (720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

21 Sec. 12-2. Aggravated assault.

22 (a) Offense based on location of conduct. A person commits
23 aggravated assault when he or she commits an assault against an
24 individual who is on or about a public way, public property, a
25 public place of accommodation or amusement, or a sports venue.

1 (b) Offense based on status of victim. A person commits
2 aggravated assault when, in committing an assault, he or she
3 knows the individual assaulted to be any of the following:

4 (1) A person with a physical disability or a person 60
5 years of age or older and the assault is without legal
6 justification.

7 (2) A teacher or school employee upon school grounds or
8 grounds adjacent to a school or in any part of a building
9 used for school purposes.

10 (3) A park district employee upon park grounds or
11 grounds adjacent to a park or in any part of a building
12 used for park purposes.

13 (4) A community policing volunteer, private security
14 officer, or utility worker:

15 (i) performing his or her official duties;

16 (ii) assaulted to prevent performance of his or her
17 official duties; or

18 (iii) assaulted in retaliation for performing his
19 or her official duties.

20 (4.1) A peace officer, fireman, emergency management
21 worker, or emergency medical services personnel
22 ~~technician~~:

23 (i) performing his or her official duties;

24 (ii) assaulted to prevent performance of his or her
25 official duties; or

26 (iii) assaulted in retaliation for performing his

1 or her official duties.

2 (5) A correctional officer or probation officer:

3 (i) performing his or her official duties;

4 (ii) assaulted to prevent performance of his or her
5 official duties; or

6 (iii) assaulted in retaliation for performing his
7 or her official duties.

8 (6) A correctional institution employee, a county
9 juvenile detention center employee who provides direct and
10 continuous supervision of residents of a juvenile
11 detention center, including a county juvenile detention
12 center employee who supervises recreational activity for
13 residents of a juvenile detention center, or a Department
14 of Human Services employee, Department of Human Services
15 officer, or employee of a subcontractor of the Department
16 of Human Services supervising or controlling sexually
17 dangerous persons or sexually violent persons:

18 (i) performing his or her official duties;

19 (ii) assaulted to prevent performance of his or her
20 official duties; or

21 (iii) assaulted in retaliation for performing his
22 or her official duties.

23 (7) An employee of the State of Illinois, a municipal
24 corporation therein, or a political subdivision thereof,
25 performing his or her official duties.

26 (8) A transit employee performing his or her official

1 duties, or a transit passenger.

2 (9) A sports official or coach actively participating
3 in any level of athletic competition within a sports venue,
4 on an indoor playing field or outdoor playing field, or
5 within the immediate vicinity of such a facility or field.

6 (10) A person authorized to serve process under Section
7 2-202 of the Code of Civil Procedure or a special process
8 server appointed by the circuit court, while that
9 individual is in the performance of his or her duties as a
10 process server.

11 (c) Offense based on use of firearm, device, or motor
12 vehicle. A person commits aggravated assault when, in
13 committing an assault, he or she does any of the following:

14 (1) Uses a deadly weapon, an air rifle as defined in
15 Section 24.8-0.1 of this Act, or any device manufactured
16 and designed to be substantially similar in appearance to a
17 firearm, other than by discharging a firearm.

18 (2) Discharges a firearm, other than from a motor
19 vehicle.

20 (3) Discharges a firearm from a motor vehicle.

21 (4) Wears a hood, robe, or mask to conceal his or her
22 identity.

23 (5) Knowingly and without lawful justification shines
24 or flashes a laser gun sight or other laser device attached
25 to a firearm, or used in concert with a firearm, so that
26 the laser beam strikes near or in the immediate vicinity of

1 any person.

2 (6) Uses a firearm, other than by discharging the
3 firearm, against a peace officer, community policing
4 volunteer, fireman, private security officer, emergency
5 management worker, emergency medical services personnel
6 ~~technician~~, employee of a police department, employee of a
7 sheriff's department, or traffic control municipal
8 employee:

9 (i) performing his or her official duties;

10 (ii) assaulted to prevent performance of his or her
11 official duties; or

12 (iii) assaulted in retaliation for performing his
13 or her official duties.

14 (7) Without justification operates a motor vehicle in a
15 manner which places a person, other than a person listed in
16 subdivision (b) (4), in reasonable apprehension of being
17 struck by the moving motor vehicle.

18 (8) Without justification operates a motor vehicle in a
19 manner which places a person listed in subdivision (b) (4),
20 in reasonable apprehension of being struck by the moving
21 motor vehicle.

22 (9) Knowingly video or audio records the offense with
23 the intent to disseminate the recording.

24 (d) Sentence. Aggravated assault as defined in subdivision
25 (a), (b) (1), (b) (2), (b) (3), (b) (4), (b) (7), (b) (8), (b) (9),
26 (c) (1), (c) (4), or (c) (9) is a Class A misdemeanor, except that

1 aggravated assault as defined in subdivision (b) (4) and (b) (7)
2 is a Class 4 felony if a Category I, Category II, or Category
3 III weapon is used in the commission of the assault. Aggravated
4 assault as defined in subdivision (b) (4.1), (b) (5), (b) (6),
5 (b) (10), (c) (2), (c) (5), (c) (6), or (c) (7) is a Class 4 felony.
6 Aggravated assault as defined in subdivision (c) (3) or (c) (8)
7 is a Class 3 felony.

8 (e) For the purposes of this Section, "Category I weapon",
9 "Category II weapon, and "Category III weapon" have the
10 meanings ascribed to those terms in Section 33A-1 of this Code.
11 (Source: P.A. 98-385, eff. 1-1-14; 99-78, eff. 7-20-15; 99-143,
12 eff. 7-27-15; 99-256, eff. 1-1-16; revised 10-19-15.)

13 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

14 Sec. 12-3.05. Aggravated battery.

15 (a) Offense based on injury. A person commits aggravated
16 battery when, in committing a battery, other than by the
17 discharge of a firearm, he or she knowingly does any of the
18 following:

19 (1) Causes great bodily harm or permanent disability or
20 disfigurement.

21 (2) Causes severe and permanent disability, great
22 bodily harm, or disfigurement by means of a caustic or
23 flammable substance, a poisonous gas, a deadly biological
24 or chemical contaminant or agent, a radioactive substance,
25 or a bomb or explosive compound.

1 (3) Causes great bodily harm or permanent disability or
2 disfigurement to an individual whom the person knows to be
3 a peace officer, community policing volunteer, fireman,
4 private security officer, correctional institution
5 employee, or Department of Human Services employee
6 supervising or controlling sexually dangerous persons or
7 sexually violent persons:

8 (i) performing his or her official duties;

9 (ii) battered to prevent performance of his or her
10 official duties; or

11 (iii) battered in retaliation for performing his
12 or her official duties.

13 (4) Causes great bodily harm or permanent disability or
14 disfigurement to an individual 60 years of age or older.

15 (5) Strangles another individual.

16 (b) Offense based on injury to a child or person with an
17 intellectual disability. A person who is at least 18 years of
18 age commits aggravated battery when, in committing a battery,
19 he or she knowingly and without legal justification by any
20 means:

21 (1) causes great bodily harm or permanent disability or
22 disfigurement to any child under the age of 13 years, or to
23 any person with a severe or profound intellectual
24 disability; or

25 (2) causes bodily harm or disability or disfigurement
26 to any child under the age of 13 years or to any person

1 with a severe or profound intellectual disability.

2 (c) Offense based on location of conduct. A person commits
3 aggravated battery when, in committing a battery, other than by
4 the discharge of a firearm, he or she is or the person battered
5 is on or about a public way, public property, a public place of
6 accommodation or amusement, a sports venue, or a domestic
7 violence shelter.

8 (d) Offense based on status of victim. A person commits
9 aggravated battery when, in committing a battery, other than by
10 discharge of a firearm, he or she knows the individual battered
11 to be any of the following:

12 (1) A person 60 years of age or older.

13 (2) A person who is pregnant or has a physical
14 disability.

15 (3) A teacher or school employee upon school grounds or
16 grounds adjacent to a school or in any part of a building
17 used for school purposes.

18 (4) A peace officer, community policing volunteer,
19 fireman, private security officer, correctional
20 institution employee, or Department of Human Services
21 employee supervising or controlling sexually dangerous
22 persons or sexually violent persons:

23 (i) performing his or her official duties;

24 (ii) battered to prevent performance of his or her
25 official duties; or

26 (iii) battered in retaliation for performing his

1 or her official duties.

2 (5) A judge, emergency management worker, emergency
3 medical services personnel ~~technician~~, or utility worker:

4 (i) performing his or her official duties;

5 (ii) battered to prevent performance of his or her
6 official duties; or

7 (iii) battered in retaliation for performing his
8 or her official duties.

9 (6) An officer or employee of the State of Illinois, a
10 unit of local government, or a school district, while
11 performing his or her official duties.

12 (7) A transit employee performing his or her official
13 duties, or a transit passenger.

14 (8) A taxi driver on duty.

15 (9) A merchant who detains the person for an alleged
16 commission of retail theft under Section 16-26 of this Code
17 and the person without legal justification by any means
18 causes bodily harm to the merchant.

19 (10) A person authorized to serve process under Section
20 2-202 of the Code of Civil Procedure or a special process
21 server appointed by the circuit court while that individual
22 is in the performance of his or her duties as a process
23 server.

24 (11) A nurse while in the performance of his or her
25 duties as a nurse.

26 (e) Offense based on use of a firearm. A person commits

1 aggravated battery when, in committing a battery, he or she
2 knowingly does any of the following:

3 (1) Discharges a firearm, other than a machine gun or a
4 firearm equipped with a silencer, and causes any injury to
5 another person.

6 (2) Discharges a firearm, other than a machine gun or a
7 firearm equipped with a silencer, and causes any injury to
8 a person he or she knows to be a peace officer, community
9 policing volunteer, person summoned by a police officer,
10 fireman, private security officer, correctional
11 institution employee, or emergency management worker:

12 (i) performing his or her official duties;

13 (ii) battered to prevent performance of his or her
14 official duties; or

15 (iii) battered in retaliation for performing his
16 or her official duties.

17 (3) Discharges a firearm, other than a machine gun or a
18 firearm equipped with a silencer, and causes any injury to
19 a person he or she knows to be ~~an~~ emergency medical
20 services personnel technician employed by a municipality
21 ~~or other governmental unit~~:

22 (i) performing his or her official duties;

23 (ii) battered to prevent performance of his or her
24 official duties; or

25 (iii) battered in retaliation for performing his
26 or her official duties.

1 (4) Discharges a firearm and causes any injury to a
2 person he or she knows to be a teacher, a student in a
3 school, or a school employee, and the teacher, student, or
4 employee is upon school grounds or grounds adjacent to a
5 school or in any part of a building used for school
6 purposes.

7 (5) Discharges a machine gun or a firearm equipped with
8 a silencer, and causes any injury to another person.

9 (6) Discharges a machine gun or a firearm equipped with
10 a silencer, and causes any injury to a person he or she
11 knows to be a peace officer, community policing volunteer,
12 person summoned by a police officer, fireman, private
13 security officer, correctional institution employee or
14 emergency management worker:

15 (i) performing his or her official duties;

16 (ii) battered to prevent performance of his or her
17 official duties; or

18 (iii) battered in retaliation for performing his
19 or her official duties.

20 (7) Discharges a machine gun or a firearm equipped with
21 a silencer, and causes any injury to a person he or she
22 knows to be ~~an~~ emergency medical services personnel
23 ~~technician employed by a municipality or other~~
24 ~~governmental unit:~~

25 (i) performing his or her official duties;

26 (ii) battered to prevent performance of his or her

1 official duties; or

2 (iii) battered in retaliation for performing his
3 or her official duties.

4 (8) Discharges a machine gun or a firearm equipped with
5 a silencer, and causes any injury to a person he or she
6 knows to be a teacher, or a student in a school, or a
7 school employee, and the teacher, student, or employee is
8 upon school grounds or grounds adjacent to a school or in
9 any part of a building used for school purposes.

10 (f) Offense based on use of a weapon or device. A person
11 commits aggravated battery when, in committing a battery, he or
12 she does any of the following:

13 (1) Uses a deadly weapon other than by discharge of a
14 firearm, or uses an air rifle as defined in Section
15 24.8-0.1 of this Code.

16 (2) Wears a hood, robe, or mask to conceal his or her
17 identity.

18 (3) Knowingly and without lawful justification shines
19 or flashes a laser gunsight or other laser device attached
20 to a firearm, or used in concert with a firearm, so that
21 the laser beam strikes upon or against the person of
22 another.

23 (4) Knowingly video or audio records the offense with
24 the intent to disseminate the recording.

25 (g) Offense based on certain conduct. A person commits
26 aggravated battery when, other than by discharge of a firearm,

1 he or she does any of the following:

2 (1) Violates Section 401 of the Illinois Controlled
3 Substances Act by unlawfully delivering a controlled
4 substance to another and any user experiences great bodily
5 harm or permanent disability as a result of the injection,
6 inhalation, or ingestion of any amount of the controlled
7 substance.

8 (2) Knowingly administers to an individual or causes
9 him or her to take, without his or her consent or by threat
10 or deception, and for other than medical purposes, any
11 intoxicating, poisonous, stupefying, narcotic, anesthetic,
12 or controlled substance, or gives to another person any
13 food containing any substance or object intended to cause
14 physical injury if eaten.

15 (3) Knowingly causes or attempts to cause a
16 correctional institution employee or Department of Human
17 Services employee to come into contact with blood, seminal
18 fluid, urine, or feces by throwing, tossing, or expelling
19 the fluid or material, and the person is an inmate of a
20 penal institution or is a sexually dangerous person or
21 sexually violent person in the custody of the Department of
22 Human Services.

23 (h) Sentence. Unless otherwise provided, aggravated
24 battery is a Class 3 felony.

25 Aggravated battery as defined in subdivision (a)(4),
26 (d)(4), or (g)(3) is a Class 2 felony.

1 Aggravated battery as defined in subdivision (a)(3) or
2 (g)(1) is a Class 1 felony.

3 Aggravated battery as defined in subdivision (a)(1) is a
4 Class 1 felony when the aggravated battery was intentional and
5 involved the infliction of torture, as defined in paragraph
6 (14) of subsection (b) of Section 9-1 of this Code, as the
7 infliction of or subjection to extreme physical pain, motivated
8 by an intent to increase or prolong the pain, suffering, or
9 agony of the victim.

10 Aggravated battery under subdivision (a)(5) is a Class 1
11 felony if:

12 (A) the person used or attempted to use a dangerous
13 instrument while committing the offense; or

14 (B) the person caused great bodily harm or permanent
15 disability or disfigurement to the other person while
16 committing the offense; or

17 (C) the person has been previously convicted of a
18 violation of subdivision (a)(5) under the laws of this
19 State or laws similar to subdivision (a)(5) of any other
20 state.

21 Aggravated battery as defined in subdivision (e)(1) is a
22 Class X felony.

23 Aggravated battery as defined in subdivision (a)(2) is a
24 Class X felony for which a person shall be sentenced to a term
25 of imprisonment of a minimum of 6 years and a maximum of 45
26 years.

1 Aggravated battery as defined in subdivision (e)(5) is a
2 Class X felony for which a person shall be sentenced to a term
3 of imprisonment of a minimum of 12 years and a maximum of 45
4 years.

5 Aggravated battery as defined in subdivision (e)(2),
6 (e)(3), or (e)(4) is a Class X felony for which a person shall
7 be sentenced to a term of imprisonment of a minimum of 15 years
8 and a maximum of 60 years.

9 Aggravated battery as defined in subdivision (e)(6),
10 (e)(7), or (e)(8) is a Class X felony for which a person shall
11 be sentenced to a term of imprisonment of a minimum of 20 years
12 and a maximum of 60 years.

13 Aggravated battery as defined in subdivision (b)(1) is a
14 Class X felony, except that:

15 (1) if the person committed the offense while armed
16 with a firearm, 15 years shall be added to the term of
17 imprisonment imposed by the court;

18 (2) if, during the commission of the offense, the
19 person personally discharged a firearm, 20 years shall be
20 added to the term of imprisonment imposed by the court;

21 (3) if, during the commission of the offense, the
22 person personally discharged a firearm that proximately
23 caused great bodily harm, permanent disability, permanent
24 disfigurement, or death to another person, 25 years or up
25 to a term of natural life shall be added to the term of
26 imprisonment imposed by the court.

1 (i) Definitions. For the purposes of this Section:

2 "Building or other structure used to provide shelter" has
3 the meaning ascribed to "shelter" in Section 1 of the Domestic
4 Violence Shelters Act.

5 "Domestic violence" has the meaning ascribed to it in
6 Section 103 of the Illinois Domestic Violence Act of 1986.

7 "Domestic violence shelter" means any building or other
8 structure used to provide shelter or other services to victims
9 or to the dependent children of victims of domestic violence
10 pursuant to the Illinois Domestic Violence Act of 1986 or the
11 Domestic Violence Shelters Act, or any place within 500 feet of
12 such a building or other structure in the case of a person who
13 is going to or from such a building or other structure.

14 "Firearm" has the meaning provided under Section 1.1 of the
15 Firearm Owners Identification Card Act, and does not include an
16 air rifle as defined by Section 24.8-0.1 of this Code.

17 "Machine gun" has the meaning ascribed to it in Section
18 24-1 of this Code.

19 "Merchant" has the meaning ascribed to it in Section 16-0.1
20 of this Code.

21 "Strangle" means intentionally impeding the normal
22 breathing or circulation of the blood of an individual by
23 applying pressure on the throat or neck of that individual or
24 by blocking the nose or mouth of that individual.

25 (Source: P.A. 98-369, eff. 1-1-14; 98-385, eff. 1-1-14; 98-756,
26 eff. 7-16-14; 99-143, eff. 7-27-15.)

1 (720 ILCS 5/24-1.2) (from Ch. 38, par. 24-1.2)

2 Sec. 24-1.2. Aggravated discharge of a firearm.

3 (a) A person commits aggravated discharge of a firearm when
4 he or she knowingly or intentionally:

5 (1) Discharges a firearm at or into a building he or
6 she knows or reasonably should know to be occupied and the
7 firearm is discharged from a place or position outside that
8 building;

9 (2) Discharges a firearm in the direction of another
10 person or in the direction of a vehicle he or she knows or
11 reasonably should know to be occupied by a person;

12 (3) Discharges a firearm in the direction of a person
13 he or she knows to be a peace officer, a community policing
14 volunteer, a correctional institution employee, or a
15 fireman while the officer, volunteer, employee or fireman
16 is engaged in the execution of any of his or her official
17 duties, or to prevent the officer, volunteer, employee or
18 fireman from performing his or her official duties, or in
19 retaliation for the officer, volunteer, employee or
20 fireman performing his or her official duties;

21 (4) Discharges a firearm in the direction of a vehicle
22 he or she knows to be occupied by a peace officer, a person
23 summoned or directed by a peace officer, a correctional
24 institution employee or a fireman while the officer,
25 employee or fireman is engaged in the execution of any of

1 his or her official duties, or to prevent the officer,
2 employee or fireman from performing his or her official
3 duties, or in retaliation for the officer, employee or
4 fireman performing his or her official duties;

5 (5) Discharges a firearm in the direction of a person
6 he or she knows to be ~~an~~ emergency medical services
7 personnel who ~~technician—ambulance, emergency medical~~
8 ~~technician—intermediate, emergency medical technician—~~
9 ~~paramedic, ambulance driver, or other medical assistance~~
10 ~~or first aid personnel, employed by a municipality or other~~
11 ~~governmental unit, while the emergency medical technician~~
12 ~~—ambulance, emergency medical technician—intermediate,~~
13 ~~emergency medical technician—paramedic, ambulance~~
14 ~~driver, or other medical assistance or first aid personnel~~
15 is engaged in the execution of any of his or her official
16 duties, or to prevent the emergency medical services
17 personnel ~~technician—ambulance, emergency medical~~
18 ~~technician—intermediate, emergency medical technician—~~
19 ~~paramedic, ambulance driver, or other medical assistance~~
20 ~~or first aid personnel~~ from performing his or her official
21 duties, or in retaliation for the emergency medical
22 services personnel ~~technician—ambulance, emergency~~
23 ~~medical technician—intermediate, emergency medical~~
24 ~~technician—paramedic, ambulance driver, or other medical~~
25 ~~assistance or first aid personnel~~ performing his or her
26 official duties;

1 (6) Discharges a firearm in the direction of a vehicle
2 he or she knows to be occupied by ~~an~~ emergency medical
3 services personnel ~~technician — ambulance, emergency~~
4 ~~medical technician — intermediate, emergency medical~~
5 ~~technician — paramedic, ambulance driver, or other medical~~
6 ~~assistance or first aid personnel, employed by a~~
7 ~~municipality or other governmental unit,~~ while the
8 emergency medical services personnel is ~~technician —~~
9 ~~ambulance, emergency medical technician — intermediate,~~
10 ~~emergency medical technician — paramedic, ambulance~~
11 ~~driver, or other medical assistance or first aid personnel~~
12 ~~is~~ engaged in the execution of any of his or her official
13 duties, or to prevent the emergency medical services
14 personnel ~~technician — ambulance, emergency medical~~
15 ~~technician — intermediate, emergency medical technician —~~
16 ~~paramedic, ambulance driver, or other medical assistance~~
17 ~~or first aid personnel~~ from performing his or her official
18 duties, or in retaliation for the emergency medical
19 services personnel ~~technician — ambulance, emergency~~
20 ~~medical technician — intermediate, emergency medical~~
21 ~~technician — paramedic, ambulance driver, or other medical~~
22 ~~assistance or first aid personnel~~ performing his or her
23 official duties;

24 (7) Discharges a firearm in the direction of a person
25 he or she knows to be a teacher or other person employed in
26 any school and the teacher or other employee is upon the

1 grounds of a school or grounds adjacent to a school, or is
2 in any part of a building used for school purposes;

3 (8) Discharges a firearm in the direction of a person
4 he or she knows to be an emergency management worker while
5 the emergency management worker is engaged in the execution
6 of any of his or her official duties, or to prevent the
7 emergency management worker from performing his or her
8 official duties, or in retaliation for the emergency
9 management worker performing his or her official duties; or

10 (9) Discharges a firearm in the direction of a vehicle
11 he or she knows to be occupied by an emergency management
12 worker while the emergency management worker is engaged in
13 the execution of any of his or her official duties, or to
14 prevent the emergency management worker from performing
15 his or her official duties, or in retaliation for the
16 emergency management worker performing his or her official
17 duties.

18 (b) A violation of subsection (a)(1) or subsection (a)(2)
19 of this Section is a Class 1 felony. A violation of subsection
20 (a)(1) or (a)(2) of this Section committed in a school, on the
21 real property comprising a school, within 1,000 feet of the
22 real property comprising a school, at a school related activity
23 or on or within 1,000 feet of any conveyance owned, leased, or
24 contracted by a school to transport students to or from school
25 or a school related activity, regardless of the time of day or
26 time of year that the offense was committed is a Class X

1 felony. A violation of subsection (a)(3), (a)(4), (a)(5),
2 (a)(6), (a)(7), (a)(8), or (a)(9) of this Section is a Class X
3 felony for which the sentence shall be a term of imprisonment
4 of no less than 10 years and not more than 45 years.

5 (c) For purposes of this Section:

6 "Emergency medical services personnel" has the meaning
7 specified in Section 3.5 of the Emergency Medical Services
8 (EMS) Systems Act and shall include all ambulance crew members,
9 including drivers or pilots.

10 "School" means a public or private elementary or secondary
11 school, community college, college, or university.

12 "School related activity" means any sporting, social,
13 academic, or other activity for which students' attendance or
14 participation is sponsored, organized, or funded in whole or in
15 part by a school or school district.

16 (Source: P.A. 94-243, eff. 1-1-06.)

17 (720 ILCS 5/24-1.2-5)

18 Sec. 24-1.2-5. Aggravated discharge of a machine gun or a
19 firearm equipped with a device designed or used for silencing
20 the report of a firearm.

21 (a) A person commits aggravated discharge of a machine gun
22 or a firearm equipped with a device designed or used for
23 silencing the report of a firearm when he or she knowingly or
24 intentionally:

25 (1) Discharges a machine gun or a firearm equipped with

1 a device designed or used for silencing the report of a
2 firearm at or into a building he or she knows to be
3 occupied and the machine gun or the firearm equipped with a
4 device designed or used for silencing the report of a
5 firearm is discharged from a place or position outside that
6 building;

7 (2) Discharges a machine gun or a firearm equipped with
8 a device designed or used for silencing the report of a
9 firearm in the direction of another person or in the
10 direction of a vehicle he or she knows to be occupied;

11 (3) Discharges a machine gun or a firearm equipped with
12 a device designed or used for silencing the report of a
13 firearm in the direction of a person he or she knows to be
14 a peace officer, a person summoned or directed by a peace
15 officer, a correctional institution employee, or a fireman
16 while the officer, employee or fireman is engaged in the
17 execution of any of his or her official duties, or to
18 prevent the officer, employee or fireman from performing
19 his or her official duties, or in retaliation for the
20 officer, employee or fireman performing his or her official
21 duties;

22 (4) Discharges a machine gun or a firearm equipped with
23 a device designed or used for silencing the report of a
24 firearm in the direction of a vehicle he or she knows to be
25 occupied by a peace officer, a person summoned or directed
26 by a peace officer, a correctional institution employee or

1 a fireman while the officer, employee or fireman is engaged
2 in the execution of any of his or her official duties, or
3 to prevent the officer, employee or fireman from performing
4 his or her official duties, or in retaliation for the
5 officer, employee or fireman performing his or her official
6 duties;

7 (5) Discharges a machine gun or a firearm equipped with
8 a device designed or used for silencing the report of a
9 firearm in the direction of a person he or she knows to be
10 ~~an~~ emergency medical services personnel ~~technician~~
11 ~~ambulance, emergency medical technician - intermediate,~~
12 ~~emergency medical technician - paramedic, ambulance~~
13 ~~driver, or other medical assistance or first aid personnel,~~
14 ~~employed by a municipality or other governmental unit,~~
15 while the emergency medical services personnel ~~is~~
16 ~~technician - ambulance, emergency medical technician -~~
17 ~~intermediate, emergency medical technician - paramedic,~~
18 ~~ambulance driver, or other medical assistance or first aid~~
19 ~~personnel~~ is engaged in the execution of any of his or her
20 official duties, or to prevent the emergency medical
21 services personnel ~~technician - ambulance, emergency~~
22 ~~medical technician - intermediate, emergency medical~~
23 ~~technician - paramedic, ambulance driver, or other medical~~
24 ~~assistance or first aid personnel~~ from performing his or
25 her official duties, or in retaliation for the emergency
26 medical services personnel ~~technician - ambulance,~~

1 ~~emergency medical technician — intermediate, emergency~~
2 ~~medical technician — paramedic, ambulance driver, or other~~
3 ~~medical assistance or first aid personnel~~ performing his or
4 her official duties;

5 (6) Discharges a machine gun or a firearm equipped with
6 a device designed or used for silencing the report of a
7 firearm in the direction of a vehicle he or she knows to be
8 occupied by ~~an~~ emergency medical services personnel
9 ~~technician — ambulance, emergency medical technician —~~
10 ~~intermediate, emergency medical technician — paramedic,~~
11 ~~ambulance driver, or other medical assistance or first aid~~
12 ~~personnel, employed by a municipality or other~~
13 ~~governmental unit,~~ while the emergency medical services
14 personnel ~~technician — ambulance, emergency medical~~
15 ~~technician — intermediate, emergency medical technician —~~
16 ~~paramedic, ambulance driver, or other medical assistance~~
17 ~~or first aid personnel~~ is engaged in the execution of any
18 of his or her official duties, or to prevent the emergency
19 medical services personnel ~~technician — ambulance,~~
20 ~~emergency medical technician — intermediate, emergency~~
21 ~~medical technician — paramedic, ambulance driver, or other~~
22 ~~medical assistance or first aid personnel~~ from performing
23 his or her official duties, or in retaliation for the
24 emergency medical services personnel ~~technician —~~
25 ~~ambulance, emergency medical technician — intermediate,~~
26 ~~emergency medical technician — paramedic, ambulance~~

1 ~~driver, or other medical assistance or first aid personnel~~
2 performing his or her official duties;

3 (7) Discharges a machine gun or a firearm equipped with
4 a device designed or used for silencing the report of a
5 firearm in the direction of a person he or she knows to be
6 an emergency management worker while the emergency
7 management worker is engaged in the execution of any of his
8 or her official duties, or to prevent the emergency
9 management worker from performing his or her official
10 duties, or in retaliation for the emergency management
11 worker performing his or her official duties; or

12 (8) Discharges a machine gun or a firearm equipped with
13 a device designed or used for silencing the report of a
14 firearm in the direction of a vehicle he or she knows to be
15 occupied by an emergency management worker while the
16 emergency management worker is engaged in the execution of
17 any of his or her official duties, or to prevent the
18 emergency management worker from performing his or her
19 official duties, or in retaliation for the emergency
20 management worker performing his or her official duties.

21 (b) A violation of subsection (a) (1) or subsection (a) (2)
22 of this Section is a Class X felony. A violation of subsection
23 (a) (3), (a) (4), (a) (5), (a) (6), (a) (7), or (a) (8) of this
24 Section is a Class X felony for which the sentence shall be a
25 term of imprisonment of no less than 12 years and no more than
26 50 years.

1 (c) For the purpose of this Section:

2 "Emergency medical services personnel" has the meaning
3 specified in Section 3.5 of the Emergency Medical Services
4 (EMS) Systems Act and shall include all ambulance crew
5 members, including drivers or pilots. 7

6 "Machine ~~machine~~ gun" has the meaning ascribed to it
7 in clause (i) of paragraph (7) of subsection (a) of Section
8 24-1 of this Code.

9 (d) This Section does not apply to a peace officer while
10 serving as a member of a tactical response team or special
11 operations team. A peace officer may not personally own or
12 apply for ownership of a device or attachment of any kind
13 designed, used, or intended for use in silencing the report of
14 any firearm. These devices shall be owned and maintained by
15 lawfully recognized units of government whose duties include
16 the investigation of criminal acts.

17 (Source: P.A. 97-676, eff. 6-1-12.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.