

SB0218



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0218

Introduced 1/22/2025, by Sen. Patrick J. Joyce

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-2

from Ch. 38, par. 12-2

Amends the Criminal Code of 2012. Provides that aggravated assault of a teacher upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes is a Class 4 felony (rather than a Class A misdemeanor).

LRB104 06336 RLC 16371 b

A BILL FOR

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
5 changing Section 12-2 as follows:

6 (720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

7 Sec. 12-2. Aggravated assault.

8 (a) Offense based on location of conduct. A person commits
9 aggravated assault when he or she commits an assault against
10 an individual who is on or about a public way, public property,
11 a public place of accommodation or amusement, or a sports
12 venue, or in a church, synagogue, mosque, or other building,
13 structure, or place used for religious worship.

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

17 (1) A person with a physical disability or a person 60
18 years of age or older and the assault is without legal
19 justification.

20 (2) A ~~teacher or~~ school employee upon school grounds
21 or grounds adjacent to a school or in any part of a
22 building used for school purposes.

23 (2.1) A teacher upon school grounds or grounds

1 adjacent to a school or in any part of a building used for
2 school purposes.

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

6 (4) A community policing volunteer, private security
7 officer, or utility worker:

8 (i) performing his or her official duties;
9 (ii) assaulted to prevent performance of his or
10 her official duties; or
11 (iii) assaulted in retaliation for performing his
12 or her official duties.

13 (4.1) A peace officer, fireman, emergency management
14 worker, or emergency medical services personnel:

15 (i) performing his or her official duties;
16 (ii) assaulted to prevent performance of his or
17 her official duties; or
18 (iii) assaulted in retaliation for performing his
19 or her official duties.

20 (5) A correctional officer or probation officer:

21 (i) performing his or her official duties;
22 (ii) assaulted to prevent performance of his or
23 her official duties; or
24 (iii) assaulted in retaliation for performing his
25 or her official duties.

26 (6) A correctional institution employee, a county

juvenile detention center employee who provides direct and continuous supervision of residents of a juvenile detention center, including a county juvenile detention center employee who supervises recreational activity for residents of a juvenile detention center, or a Department of Human Services employee, Department of Human Services officer, or employee of a subcontractor of the Department of Human Services supervising or controlling sexually dangerous persons or sexually violent persons:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or

her official duties; or

(iii) assaulted in retaliation for performing his
er official duties.

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

(8) A transit employee performing his or her official duties, or a transit passenger.

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

(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special

1 process server appointed by the circuit court, while that
2 individual is in the performance of his or her duties as a
3 process server.

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

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

11 (2) Discharges a firearm, other than from a motor
12 vehicle.

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

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

16 (5) Knowingly and without lawful justification shines
17 or flashes a laser gun sight or other laser device
18 attached to a firearm, or used in concert with a firearm,
19 so that the laser beam strikes near or in the immediate
20 vicinity of any person.

21 (6) Uses a firearm, other than by discharging the
22 firearm, against a peace officer, community policing
23 volunteer, fireman, private security officer, emergency
24 management worker, emergency medical services personnel,
25 employee of a police department, employee of a sheriff's
26 department, or traffic control municipal employee:

- (i) performing his or her official duties;
- (ii) assaulted to prevent performance of his or her official duties; or
- (iii) assaulted in retaliation for performing his or her official duties.

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

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

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

(d) Sentence. Aggravated assault as defined in subdivision (a), (b) (1), (b) (2), (b) (3), (b) (4), (b) (7), (b) (8), (b) (9), (c) (1), (c) (4), or (c) (9) is a Class A misdemeanor, except that aggravated assault as defined in subdivision (b) (4) and (b) (7) is a Class 4 felony if a Category I, Category II, or Category III weapon is used in the commission of the assault. Aggravated assault as defined in subdivision (b) (2.1), (b) (4.1), (b) (5), (b) (6), (b) (10), (c) (2), (c) (5), (c) (6), or (c) (7) is a Class 4 felony. Aggravated assault as defined in subdivision (c) (3) or (c) (8) is a Class 3 felony.

(e) For the purposes of this Section, "Category I weapon",

1 "Category II weapon", and "Category III weapon" have the
2 meanings ascribed to those terms in Section 33A-1 of this
3 Code.

4 (Source: P.A. 101-223, eff. 1-1-20; 102-558, eff. 8-20-21.)