



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3221

Introduced 2/19/2021, by Rep. Katie Stuart

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-5.03 new

Amends the Criminal Code of 2012. Provides that a person who unlawfully possesses fentanyl commits reckless endangerment of a first responder or coroner by fentanyl exposure if he or she, by any means lawful or unlawful, recklessly performs an act or acts that causes a first responder or coroner bodily harm as a result of exposure to or contact with fentanyl. Provides that a person commits reckless endangerment of a first responder or coroner by fentanyl exposure when he or she unlawfully delivers fentanyl to another that causes bodily harm to a first responder or coroner as a result of exposure to or contact with that fentanyl. Reckless endangerment of a first responder or coroner by fentanyl exposure is a Class 2 felony. Effective immediately.

LRB102 12043 KMF 17379 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 adding  
5 Section 12-5.03 as follows:

6 (720 ILCS 5/12-5.03 new)

7 Sec. 12-5.03. Reckless endangerment of a first responder  
8 or coroner by fentanyl exposure.

9 (a) In this Section:

10 "Coroner" means a coroner designated under Division  
11 3-3 of the Counties Code, a medical examiner, or his or her  
12 designated representative.

13 "Fentanyl" means a substance containing any amount of  
14 fentanyl or a fentanyl analog, including any isomers, esters,  
15 ethers, salts, or salts of isomers thereof.

16 "First responder" means emergency medical services  
17 personnel as defined in Section 3.5 of the Emergency Medical  
18 Services (EMS) Systems Act, a law enforcement officer, or  
19 firefighter.

20 (b) A person who unlawfully possesses fentanyl commits  
21 reckless endangerment of a first responder or coroner by  
22 fentanyl exposure if he or she, by any means lawful or  
23 unlawful, recklessly performs an act or acts that causes a

1 first responder or coroner bodily harm as a result of exposure  
2 to or contact with fentanyl.

3 (c) A person commits reckless endangerment of a first  
4 responder or coroner by fentanyl exposure when he or she  
5 unlawfully delivers fentanyl to another that causes bodily  
6 harm to a first responder or coroner as a result of exposure to  
7 or contact with that fentanyl.

8 (d) Reckless endangerment of a first responder or coroner  
9 by fentanyl exposure is a Class 2 felony.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.