



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
SB2373

Introduced 2/3/2004, by George P. Shadid

SYNOPSIS AS INTRODUCED:

720 ILCS 5/7-2

from Ch. 38, par. 7-2

Amends the Criminal Code of 1961. Makes technical changes in the Section concerning the justified use of force in defense of one's dwelling.

LRB093 20487 RLC 46276 b

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 1961 is amended by changing
5 Section 7-2 as follows:

6 (720 ILCS 5/7-2) (from Ch. 38, par. 7-2)

7 Sec. 7-2. Use of force in defense of dwelling.

8 A person is justified in the use of force against another
9 when and to the extent that he or she reasonably believes that
10 such conduct is necessary to prevent or terminate such other's
11 unlawful entry into or attack upon a dwelling. However, he or
12 she is justified in the use of force which is intended or
13 likely to cause death or great bodily harm only if:

14 (a) The entry is made or attempted in a violent, riotous,
15 or tumultuous manner, and he or she reasonably believes that
16 such force is necessary to prevent an assault upon, or offer of
17 personal violence to, him or her or another then in the
18 dwelling, or

19 (b) He or she reasonably believes that such force is
20 necessary to prevent the commission of a felony in the
21 dwelling.

22 (Source: Laws 1967, p. 696.)