

**HB0053**



**94TH GENERAL ASSEMBLY**

**State of Illinois**

**2005 and 2006**

**HB0053**

Introduced 1/3/2005, by Rep. Patricia R. Bellock

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/29D-10

Amends the Terrorism Article of the Criminal Code of 1961. Defines "endangering the food supply" and "endangering the water supply". Provides that endangering the food supply or endangering the water supply constitutes an act of terrorism. Effective immediately.

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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 1961 is amended by changing  
5 Section 29D-10 as follows:

6 (720 ILCS 5/29D-10)

7 Sec. 29D-10. Definitions. As used in this Article, where  
8 not otherwise distinctly expressed or manifestly incompatible  
9 with the intent of this Article:

10 (a) "Computer network" means a set of related, remotely  
11 connected devices and any communications facilities including  
12 more than one computer with the capability to transmit data  
13 among them through communication facilities.

14 (b) "Computer" means a device that accepts, processes,  
15 stores, retrieves, or outputs data, and includes, but is not  
16 limited to, auxiliary storage and telecommunications devices.

17 (c) "Computer program" means a series of coded instruction  
18 or statements in a form acceptable to a computer which causes  
19 the computer to process data and supply the results of data  
20 processing.

21 (d) "Data" means representations of information,  
22 knowledge, facts, concepts or instructions, including program  
23 documentation, that are prepared in a formalized manner and are  
24 stored or processed in or transmitted by a computer. Data may  
25 be in any form, including but not limited to magnetic or  
26 optical storage media, punch cards, or data stored internally  
27 in the memory of a computer.

28 (e) "Biological products used in or in connection with  
29 agricultural production" includes, but is not limited to,  
30 seeds, plants, and DNA of plants or animals altered for use in  
31 crop or livestock breeding or production or which are sold,  
32 intended, designed, or produced for use in crop production or

1 livestock breeding or production.

2 (f) "Agricultural products" means crops and livestock.

3 (g) "Agricultural production" means the breeding and  
4 growing of livestock and crops.

5 (g-5) "Animal feed" means an article that is intended for  
6 use for food for animals other than humans and that is intended  
7 for use as a substantial source of nutrients in the diet of the  
8 animal, and is not limited to a mixture intended to be the sole  
9 ration of the animal.

10 (g-10) "Contagious or infectious disease" means any  
11 disease that can be spread from one subject to another by  
12 direct or indirect contact or by an intermediate agent,  
13 including, but not limited to, anthrax, all species of  
14 brucellosis, equine infectious anemia, hog cholera,  
15 pseudorabies, psoroptic mange, rabies, tuberculosis, vesicular  
16 stomatitis, avian influenza, pullorum, fowl typhoid,  
17 psittacosis, viscerotropic velogenic Newcastle disease, foot  
18 and mouth disease, rinderpest, African swine fever,  
19 piroplasmiasis, vesicular exanthema, Johne's disease, scabies,  
20 scrapies, bovine leukosis, and bovine spongiform  
21 encephalopathy.

22 (g-15) "Processed food" means any food other than a raw  
23 agricultural commodity and includes any raw agricultural  
24 commodity that has been subject to processing, such as canning,  
25 cooking, freezing, dehydration, or milling.

26 (g-20) "Raw agricultural commodity" means any food in its  
27 raw or natural state, including all fruits that are washed,  
28 colored, or otherwise treated in their unpeeled natural form  
29 prior to marketing.

30 (g-25) "Endangering the food supply" means to knowingly:

31 (1) bring into this State any domestic animal that is  
32 affected with any contagious or infectious disease or any  
33 animal that has been exposed to any contagious or  
34 infectious disease;

35 (2) expose any animal in this State to any contagious  
36 or infectious disease;

1           (3) deliver any poultry that is infected with any  
2           contagious or infectious disease to any poultry producer  
3           pursuant to a production contract;

4           (4) except as permitted under the Insect Pest and Plant  
5           Disease Act, bring or release into this State any insect  
6           pest or expose any plant to an insect pest; or

7           (5) expose any raw agricultural commodity, animal  
8           feed, or processed food to any contaminant or contagious or  
9           infectious disease.

10          "Endangering the food supply" does not include bona fide  
11          experiments and actions related to those experiments carried on  
12          by commonly recognized research facilities.

13          (g-30) "Endangering the water supply" means to knowingly  
14          contaminate a public or private water well or water reservoir  
15          or any water supply of a public utility or tamper with the  
16          production of bottled or packaged water or tamper with bottled  
17          or packaged water at a retail or wholesale mercantile  
18          establishment.

19          (h) "Livestock" means animals bred or raised for human  
20          consumption.

21          (i) "Crops" means plants raised for: (1) human consumption,  
22          (2) fruits that are intended for human consumption, (3)  
23          consumption by livestock, and (4) fruits that are intended for  
24          consumption by livestock.

25          (j) "Communications systems" means any works, property, or  
26          material of any radio, telegraph, telephone, microwave, or  
27          cable line, station, or system.

28          (k) "Substantial damage" means monetary damage greater  
29          than \$100,000.

30          (l) "Terrorist act" or "act of terrorism" means: (1) any  
31          act that is intended to cause or create a risk and does cause  
32          or create a risk of death or great bodily harm to one or more  
33          persons; (2) any act that disables or destroys the usefulness  
34          or operation of any communications system; (3) any act or any  
35          series of 2 or more acts committed in furtherance of a single  
36          intention, scheme, or design that disables or destroys the

1 usefulness or operation of a computer network, computers,  
2 computer programs, or data used by any industry, by any class  
3 of business, or by 5 or more businesses or by the federal  
4 government, State government, any unit of local government, a  
5 public utility, a manufacturer of pharmaceuticals, a national  
6 defense contractor, or a manufacturer of chemical or biological  
7 products used in or in connection with agricultural production;  
8 (4) any act that disables or causes substantial damage to or  
9 destruction of any structure or facility used in or used in  
10 connection with ground, air, or water transportation; the  
11 production or distribution of electricity, gas, oil, or other  
12 fuel; the treatment of sewage or the treatment or distribution  
13 of water; or controlling the flow of any body of water; (5) any  
14 act that causes substantial damage to or destruction of  
15 livestock or to crops or a series of 2 or more acts committed  
16 in furtherance of a single intention, scheme, or design which,  
17 in the aggregate, causes substantial damage to or destruction  
18 of livestock or crops; (6) any act that causes substantial  
19 damage to or destruction of any hospital or any building or  
20 facility used by the federal government, State government, any  
21 unit of local government or by a national defense contractor or  
22 by a public utility, a manufacturer of pharmaceuticals, a  
23 manufacturer of chemical or biological products used in or in  
24 connection with agricultural production or the storage or  
25 processing of agricultural products or the preparation of  
26 agricultural products for food or food products intended for  
27 resale or for feed for livestock; ~~or~~ (7) any act that causes  
28 substantial damage to any building containing 5 or more  
29 businesses of any type or to any building in which 10 or more  
30 people reside; (8) endangering the food supply; or (9)  
31 endangering the water supply.

32 (m) "Terrorist" and "terrorist organization" means any  
33 person who engages or is about to engage in a terrorist act  
34 with the intent to intimidate or coerce a significant portion  
35 of a civilian population.

36 (n) "Material support or resources" means currency or other

1 financial securities, financial services, lodging, training,  
2 safe houses, false documentation or identification,  
3 communications equipment, facilities, weapons, lethal  
4 substances, explosives, personnel, transportation, any other  
5 kind of physical assets or intangible property, and expert  
6 services or expert assistance.

7 (o) "Person" has the meaning given in Section 2-15 of this  
8 Code and, in addition to that meaning, includes, without  
9 limitation, any charitable organization, whether incorporated  
10 or unincorporated, any professional fund raiser, professional  
11 solicitor, limited liability company, association, joint stock  
12 company, association, trust, trustee, or any group of people  
13 formally or informally affiliated or associated for a common  
14 purpose, and any officer, director, partner, member, or agent  
15 of any person.

16 (p) "Render criminal assistance" means to do any of the  
17 following with the intent to prevent, hinder, or delay the  
18 discovery or apprehension of, or the lodging of a criminal  
19 charge against, a person who he or she knows or believes has  
20 committed an offense under this Article or is being sought by  
21 law enforcement officials for the commission of an offense  
22 under this Article, or with the intent to assist a person in  
23 profiting or benefiting from the commission of an offense under  
24 this Article:

25 (1) harbor or conceal the person;

26 (2) warn the person of impending discovery or  
27 apprehension;

28 (3) provide the person with money, transportation, a  
29 weapon, a disguise, false identification documents, or any  
30 other means of avoiding discovery or apprehension;

31 (4) prevent or obstruct, by means of force,  
32 intimidation, or deception, anyone from performing an act  
33 that might aid in the discovery or apprehension of the  
34 person or in the lodging of a criminal charge against the  
35 person;

36 (5) suppress, by any act of concealment, alteration, or

1 destruction, any physical evidence that might aid in the  
2 discovery or apprehension of the person or in the lodging  
3 of a criminal charge against the person;

4 (6) aid the person to protect or expeditiously profit  
5 from an advantage derived from the crime; or

6 (7) provide expert services or expert assistance to the  
7 person. Providing expert services or expert assistance  
8 shall not be construed to apply to: (1) a licensed attorney  
9 who discusses with a client the legal consequences of a  
10 proposed course of conduct or advises a client of legal or  
11 constitutional rights and (2) a licensed medical doctor who  
12 provides emergency medical treatment to a person whom he or  
13 she believes has committed an offense under this Article  
14 if, as soon as reasonably practicable either before or  
15 after providing such treatment, he or she notifies a law  
16 enforcement agency.

17 (Source: P.A. 92-854, eff. 12-5-02.)

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