



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5827

Introduced 08/25/06, by Rep. Tom Cross - Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-3.4 new

Amends the Criminal Code of 1961. Creates the offense of domestic assault when a person knowingly or intentionally engages in conduct that places a family or household member in reasonable apprehension of receiving a battery. Requires a peace officer to arrest the offender upon the establishment of probable cause. Makes the offense a Class A misdemeanor.

LRB094 21361 LCT 59712 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 adding
5 Section 12-3.4 as follows:

6 (720 ILCS 5/12-3.4 new)

7 Sec. 12-3.4. Domestic assault.

8 (a) A person commits domestic assault when, without lawful
9 authority, he or she knowingly or intentionally engages in
10 conduct that places a family or household member, as defined in
11 subsection (3) of Section 112A-3 of the Code of Criminal
12 Procedure of 1963, in reasonable apprehension of receiving a
13 battery. A peace officer must arrest the offender upon the
14 establishment of probable cause.

15 (b) Sentence. Domestic assault is a Class A misdemeanor.