

# HB4394



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

**HB4394**

Introduced 1/30/2012, by Rep. Michael J. Madigan

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/7-1

from Ch. 38, par. 7-1

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the use of force in defense of a person.

LRB097 15386 RLC 60486 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 1961 is amended by changing  
5 Section 7-1 as follows:

6 (720 ILCS 5/7-1) (from Ch. 38, par. 7-1)

7 Sec. 7-1. Use of force in defense of person.

8 (a) A person is justified in the ~~the~~ use of force against  
9 another when and to the extent that he reasonably believes that  
10 such conduct is necessary to defend himself or another against  
11 such other's imminent use of unlawful force. However, he is  
12 justified in the use of force which is intended or likely to  
13 cause death or great bodily harm only if he reasonably believes  
14 that such force is necessary to prevent imminent death or great  
15 bodily harm to himself or another, or the commission of a  
16 forcible felony.

17 (b) In no case shall any act involving the use of force  
18 justified under this Section give rise to any claim or  
19 liability brought by or on behalf of any person acting within  
20 the definition of "aggressor" set forth in Section 7-4 of this  
21 Article, or the estate, spouse, or other family member of such  
22 a person, against the person or estate of the person using such  
23 justified force, unless the use of force involves willful or

1 wanton misconduct.

2 (Source: P.A. 93-832, eff. 7-28-04.)