



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1709

Introduced 2/9/2011, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

720 ILCS 5/Art. 24.6 heading
720 ILCS 5/24.6-5
720 ILCS 5/24.6-25 new

Amends the Criminal Code of 1961. Prohibits knowingly discharging a laser into the cockpit of an aircraft in the process of taking off, landing, or while in flight. Provides that the penalty is a Class A misdemeanor. Defines "aircraft" and "laser". Provides exemptions for: (1) authorized individuals in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations; and (2) members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing, or training.

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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 the heading of Article 24.6 and Section 24.6-5 and by adding
6 Section 24.6-25 as follows:

7 (720 ILCS 5/Art. 24.6 heading)

8 ARTICLE 24.6. LASERS AND LASER POINTERS

9 (720 ILCS 5/24.6-5)

10 Sec. 24.6-5. Definitions. In this Article:

11 "Aircraft" means any contrivance now known or hereafter
12 invented, used, or designed for navigation of or flight in the
13 air, but excluding parachutes.

14 "Laser" means either of the following:

15 (1) a device that utilizes the natural oscillations of
16 atoms or molecules between energy levels for generating
17 coherent electromagnetic radiation in the ultraviolet,
18 visible, or infrared region of the spectrum and when
19 discharged exceeds one milliwatt continuous wave;

20 (2) any device designed or used to amplify
21 electromagnetic radiation by simulated emission that is
22 visible to the human eye.

1 "Laser pointer" means a hand-held device that emits light
2 amplified by the stimulated emission of radiation that is
3 visible to the human eye.

4 "Laser sight" means a laser pointer that can be attached to
5 a firearm and can be used to improve the accuracy of the
6 firearm.

7 (Source: P.A. 91-252, eff. 1-1-00.)

8 (720 ILCS 5/24.6-25 new)

9 Sec. 24.6-25. Discharging a laser at an aircraft.

10 (a) A person commits discharging a laser at an aircraft
11 when he or she intentionally or knowingly aims and discharges a
12 laser or other device that creates visible light into the
13 cockpit of an aircraft that is in the process of taking off,
14 landing, or is in flight.

15 (b) Exceptions. This Section does not apply to the
16 following individuals who aim and discharge a laser or other
17 device at an aircraft:

18 (1) an authorized individual in the conduct of research
19 and development or flight test operations conducted by an
20 aircraft manufacturer, the Federal Aviation
21 Administration, or any other person authorized by the
22 Federal Aviation Administration to conduct such research
23 and development or flight test operations; or

24 (2) members or elements of the Department of Defense or
25 Department of Homeland Security acting in an official

1 capacity for the purpose of research, development,
2 operations, testing, or training.

3 (c) Sentence. Discharging a laser at an aircraft is a Class
4 A misdemeanor.