

# HB0071



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0071

Introduced 1/9/2025, by Rep. Jackie Haas

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-3.3

Amends the Criminal Code of 2012. Provides that the penalty for aggravated domestic battery is a Class X felony for which the person shall be sentenced to a mandatory term of imprisonment of not less than 6 years and not more than 30 years when the person, in committing a domestic battery, strangles another individual.

LRB104 03321 RLC 13343 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 2012 is amended by  
5 changing Section 12-3.3 as follows:

6 (720 ILCS 5/12-3.3)

7 Sec. 12-3.3. Aggravated domestic battery.

8 (a) A person who, in committing a domestic battery,  
9 knowingly causes great bodily harm, or permanent disability or  
10 disfigurement commits aggravated domestic battery.

11 (a-5) A person who, in committing a domestic battery,  
12 strangles another individual commits aggravated domestic  
13 battery. For the purposes of this subsection (a-5), "strangle"  
14 means intentionally impeding the normal breathing or  
15 circulation of the blood of an individual by applying pressure  
16 on the throat or neck of that individual or by blocking the  
17 nose or mouth of that individual.

18 (b) Sentence. A violation of subsection (a) ~~Aggravated~~  
19 ~~domestic battery~~ is a Class 2 felony. A violation of  
20 subsection (a-5) is a Class X felony for which the person shall  
21 be sentenced to a mandatory term of imprisonment of not less  
22 than 6 years and not more than 30 years. Any order of probation  
23 or conditional discharge entered following a conviction for an

1 offense under this Section must include, in addition to any  
2 other condition of probation or conditional discharge, a  
3 condition that the offender serve a mandatory term of  
4 imprisonment of not less than 60 consecutive days. A person  
5 convicted of a second or subsequent violation of this Section  
6 must be sentenced to a mandatory term of imprisonment of not  
7 less than 3 years and not more than 7 years or an extended term  
8 of imprisonment of not less than 7 years and not more than 14  
9 years.

10 (c) Upon conviction of aggravated domestic battery, the  
11 court shall advise the defendant orally or in writing,  
12 substantially as follows: "An individual convicted of  
13 aggravated domestic battery may be subject to federal criminal  
14 penalties for possessing, transporting, shipping, or receiving  
15 any firearm or ammunition in violation of the federal Gun  
16 Control Act of 1968 (18 U.S.C. 922(g)(8) and (9))." A notation  
17 shall be made in the court file that the admonition was given.  
18 (Source: P.A. 96-287, eff. 8-11-09; 96-363, eff. 8-13-09;  
19 96-1000, eff. 7-2-10; 96-1551, eff. 7-1-11.)