



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

720 ILCS 5/7-2

from Ch. 38, par. 7-2

Amends the Criminal Code of 1961. Makes a technical change in a Section relating to justification in the use of force against another person in defense of a dwelling.

LRB093 17132 RLC 42798 b

1 AN ACT in relation to 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 7-2 as follows:

6 (720 ILCS 5/7-2) (from Ch. 38, par. 7-2)

7 Sec. 7-2. Use of force in defense of dwelling. A person is
8 justified in the use of force against another when and to the
9 extent that he reasonably believes that the ~~such~~ conduct is
10 necessary to prevent or terminate such other's unlawful entry
11 into or attack upon a dwelling. However, he is justified in the
12 use of force which is intended or likely to cause death or
13 great bodily harm only if:

14 (a) The entry is made or attempted in a violent, riotous,
15 or tumultuous manner, and he reasonably believes that such
16 force is necessary to prevent an assault upon, or offer of
17 personal violence to, him or another then in the dwelling, or

18 (b) He reasonably believes that such force is necessary to
19 prevent the commission of a felony in the dwelling.

20 (Source: Laws 1967, p. 696.)