



Rep. Jack D. Franks

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09700SB2537ham004

LRB097 14538 RLC 70461 a

1 AMENDMENT TO SENATE BILL 2537

2 AMENDMENT NO. _____. Amend Senate Bill 2537, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 1, line 5, by replacing "Section 31-4" with
5 "Sections 12-9 and 31-4"; and

6 on page 2, by inserting immediately below line 24 the
7 following:

8 "(720 ILCS 5/12-9) (from Ch. 38, par. 12-9)
9 Sec. 12-9. Threatening public officials.

10 (a) A person commits threatening a public official when:

11 (1) that person knowingly delivers or conveys,
12 directly or indirectly, to a public official by any means a
13 communication:

14 (i) containing a threat that would place the public
15 official or a member of his or her immediate family in
16 reasonable apprehension of immediate or future bodily

1 harm, sexual assault, confinement, or restraint; or

2 (ii) containing a threat that would place the
3 public official or a member of his or her immediate
4 family in reasonable apprehension that damage will
5 occur to property in the custody, care, or control of
6 the public official or his or her immediate family; and

7 (2) the threat was conveyed because of the performance
8 or nonperformance of some public duty, because of hostility
9 of the person making the threat toward the status or
10 position of the public official, or because of any other
11 factor related to the official's public existence.

12 (a-5) For purposes of a threat to a sworn law enforcement
13 officer, the threat must contain specific facts indicative of a
14 unique threat to the person, family or property of the officer
15 and not a generalized threat of harm.

16 (a-6) For purposes of a threat to a social worker,
17 caseworker, or investigator, the threat must contain specific
18 facts indicative of a unique threat to the person, family or
19 property of the individual and not a generalized threat of
20 harm.

21 (b) For purposes of this Section:

22 (1) "Public official" means a person who is elected to
23 office in accordance with a statute or who is appointed to
24 an office which is established, and the qualifications and
25 duties of which are prescribed, by statute, to discharge a
26 public duty for the State or any of its political

1 subdivisions or in the case of an elective office any
2 person who has filed the required documents for nomination
3 or election to such office. "Public official" includes a
4 duly appointed assistant State's Attorney, assistant
5 Attorney General, or Appellate Prosecutor; ~~and~~ a sworn
6 law enforcement or peace officer; a social worker,
7 caseworker, or investigator employed by the Department of
8 Healthcare and Family Services, the Department of Human
9 Services, or the Department of Children and Family
10 Services.

11 (2) "Immediate family" means a public official's
12 spouse or child or children.

13 (c) Threatening a public official is a Class 3 felony for a
14 first offense and a Class 2 felony for a second or subsequent
15 offense.

16 (Source: P.A. 95-466, eff. 6-1-08; 96-1551, eff. 7-1-11.)".