

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 changing
5 Section 19-5 as follows:

6 (720 ILCS 5/19-5) (from Ch. 38, par. 19-5)

7 Sec. 19-5. Criminal fortification of a residence or
8 building.

9 (a) A person commits ~~the offense of~~ criminal fortification
10 of a residence or building when, with the intent to prevent the
11 lawful entry of a law enforcement officer or another, he or she
12 maintains a residence or building in a fortified condition,
13 knowing that the ~~such~~ residence or building is used for the
14 unlawful manufacture, storage with intent to deliver or
15 manufacture, delivery, or trafficking of cannabis, controlled
16 substances, or methamphetamine as defined in the Cannabis
17 Control Act, the Illinois Controlled Substances Act, or the
18 Methamphetamine Control and Community Protection Act.

19 (b) "Fortified condition" means preventing or impeding
20 entry through the use of steel doors, wooden planking,
21 crossbars, alarm systems, dogs, video surveillance, motion
22 sensing devices, booby traps, or other similar means. If video
23 surveillance is the sole component of the fortified condition,

1 the video surveillance must be with the intent to alert an
2 occupant to the presence of a law enforcement officer for the
3 purpose of interfering with the official duties of a law
4 enforcement officer, allowing removal or destruction of
5 evidence, or facilitating the infliction of harm to a law
6 enforcement officer. For the purposes of this Section, "booby
7 trap" means any device, including but not limited to any
8 explosive device, designed to cause physical injury or the
9 destruction of evidence, when triggered by an act of a person
10 approaching, entering, or moving through a structure.

11 (c) Sentence. Criminal fortification of a residence or
12 building is a Class 3 felony.

13 (d) This Section does not apply to the fortification of a
14 residence or building used in the manufacture of
15 methamphetamine as described in Sections 10 and 15 of the
16 Methamphetamine Control and Community Protection Act.

17 (Source: P.A. 94-556, eff. 9-11-05.)