



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2947

Introduced 2/18/2016, by Sen. Michael Connelly

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-0.1	
720 ILCS 5/12-2	from Ch. 38, par. 12-2
720 ILCS 5/12-3.05	was 720 ILCS 5/12-4
720 ILCS 5/24-1.2	from Ch. 38, par. 24-1.2
720 ILCS 5/24-1.2-5	

Amends the Criminal Code of 2012. Redefines various statutes concerning bodily harm directed against emergency medical services personnel. Changes various references from "emergency medical technician" to "emergency medical services personnel" in the Bodily Harm and Deadly Weapons Article of the Code. Effective immediately.

LRB099 19506 RLC 43899 b

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 Sections 12-0.1, 12-2, 12-3.05, 24-1.2, and 24-1.2-5 as
6 follows:

7 (720 ILCS 5/12-0.1)

8 Sec. 12-0.1. Definitions. In this Article, unless the
9 context clearly requires otherwise:

10 "Bona fide labor dispute" means any controversy concerning
11 wages, salaries, hours, working conditions, or benefits,
12 including health and welfare, sick leave, insurance, and
13 pension or retirement provisions, the making or maintaining of
14 collective bargaining agreements, and the terms to be included
15 in those agreements.

16 "Coach" means a person recognized as a coach by the
17 sanctioning authority that conducts an athletic contest.

18 "Correctional institution employee" means a person
19 employed by a penal institution.

20 "Emergency medical services personnel technician" has the
21 meaning specified in Section 3.5 of the Emergency Medical
22 Services (EMS) Systems Act ~~includes a paramedic, ambulance~~
23 ~~driver, first aid worker, hospital worker, or other medical~~

1 ~~assistance worker.~~

2 "Family or household members" include spouses, former
3 spouses, parents, children, stepchildren, and other persons
4 related by blood or by present or prior marriage, persons who
5 share or formerly shared a common dwelling, persons who have or
6 allegedly have a child in common, persons who share or
7 allegedly share a blood relationship through a child, persons
8 who have or have had a dating or engagement relationship,
9 persons with disabilities and their personal assistants, and
10 caregivers as defined in Section 12-4.4a of this Code. For
11 purposes of this Article, neither a casual acquaintanceship nor
12 ordinary fraternization between 2 individuals in business or
13 social contexts shall be deemed to constitute a dating
14 relationship.

15 "In the presence of a child" means in the physical presence
16 of a child or knowing or having reason to know that a child is
17 present and may see or hear an act constituting an offense.

18 "Park district employee" means a supervisor, director,
19 instructor, or other person employed by a park district.

20 "Person with a physical disability" means a person who
21 suffers from a permanent and disabling physical
22 characteristic, resulting from disease, injury, functional
23 disorder, or congenital condition.

24 "Private security officer" means a registered employee of a
25 private security contractor agency under the Private
26 Detective, Private Alarm, Private Security, Fingerprint

1 Vendor, and Locksmith Act of 2004.

2 "Probation officer" means a person as defined in the
3 Probation and Probation Officers Act.

4 "Sports official" means a person at an athletic contest who
5 enforces the rules of the contest, such as an umpire or
6 referee.

7 "Sports venue" means a publicly or privately owned sports
8 or entertainment arena, stadium, community or convention hall,
9 special event center, or amusement facility, or a special event
10 center in a public park, during the 12 hours before or after
11 the sanctioned sporting event.

12 "Streetgang", "streetgang member", and "criminal street
13 gang" have the meanings ascribed to those terms in Section 10
14 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

15 "Transit employee" means a driver, operator, or employee of
16 any transportation facility or system engaged in the business
17 of transporting the public for hire.

18 "Transit passenger" means a passenger of any
19 transportation facility or system engaged in the business of
20 transporting the public for hire, including a passenger using
21 any area designated by a transportation facility or system as a
22 vehicle boarding, departure, or transfer location.

23 "Utility worker" means any of the following:

24 (1) A person employed by a public utility as defined in
25 Section 3-105 of the Public Utilities Act.

26 (2) An employee of a municipally owned utility.

1 (3) An employee of a cable television company.

2 (4) An employee of an electric cooperative as defined
3 in Section 3-119 of the Public Utilities Act.

4 (5) An independent contractor or an employee of an
5 independent contractor working on behalf of a cable
6 television company, public utility, municipally owned
7 utility, or electric cooperative.

8 (6) An employee of a telecommunications carrier as
9 defined in Section 13-202 of the Public Utilities Act, or
10 an independent contractor or an employee of an independent
11 contractor working on behalf of a telecommunications
12 carrier.

13 (7) An employee of a telephone or telecommunications
14 cooperative as defined in Section 13-212 of the Public
15 Utilities Act, or an independent contractor or an employee
16 of an independent contractor working on behalf of a
17 telephone or telecommunications cooperative.

18 (Source: P.A. 99-143, eff. 7-27-15.)

19 (720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

20 Sec. 12-2. Aggravated assault.

21 (a) Offense based on location of conduct. A person commits
22 aggravated assault when he or she commits an assault against an
23 individual who is on or about a public way, public property, a
24 public place of accommodation or amusement, or a sports venue.

25 (b) Offense based on status of victim. A person commits

1 aggravated assault when, in committing an assault, he or she
2 knows the individual assaulted to be any of the following:

3 (1) A person with a physical disability or a person 60
4 years of age or older and the assault is without legal
5 justification.

6 (2) A teacher or school employee upon school grounds or
7 grounds adjacent to a school or in any part of a building
8 used for school purposes.

9 (3) A park district employee upon park grounds or
10 grounds adjacent to a park or in any part of a building
11 used for park purposes.

12 (4) A community policing volunteer, private security
13 officer, or utility worker:

14 (i) performing his or her official duties;

15 (ii) assaulted to prevent performance of his or her
16 official duties; or

17 (iii) assaulted in retaliation for performing his
18 or her official duties.

19 (4.1) A peace officer, fireman, emergency management
20 worker, or emergency medical services personnel
21 ~~technician~~:

22 (i) performing his or her official duties;

23 (ii) assaulted to prevent performance of his or her
24 official duties; or

25 (iii) assaulted in retaliation for performing his
26 or her official duties.

- 1 (5) A correctional officer or probation officer:
- 2 (i) performing his or her official duties;
- 3 (ii) assaulted to prevent performance of his or her
- 4 official duties; or
- 5 (iii) assaulted in retaliation for performing his
- 6 or her official duties.
- 7 (6) A correctional institution employee, a county
- 8 juvenile detention center employee who provides direct and
- 9 continuous supervision of residents of a juvenile
- 10 detention center, including a county juvenile detention
- 11 center employee who supervises recreational activity for
- 12 residents of a juvenile detention center, or a Department
- 13 of Human Services employee, Department of Human Services
- 14 officer, or employee of a subcontractor of the Department
- 15 of Human Services supervising or controlling sexually
- 16 dangerous persons or sexually violent persons:
- 17 (i) performing his or her official duties;
- 18 (ii) assaulted to prevent performance of his or her
- 19 official duties; or
- 20 (iii) assaulted in retaliation for performing his
- 21 or her official duties.
- 22 (7) An employee of the State of Illinois, a municipal
- 23 corporation therein, or a political subdivision thereof,
- 24 performing his or her official duties.
- 25 (8) A transit employee performing his or her official
- 26 duties, or a transit passenger.

1 (9) A sports official or coach actively participating
2 in any level of athletic competition within a sports venue,
3 on an indoor playing field or outdoor playing field, or
4 within the immediate vicinity of such a facility or field.

5 (10) A person authorized to serve process under Section
6 2-202 of the Code of Civil Procedure or a special process
7 server appointed by the circuit court, while that
8 individual is in the performance of his or her duties as a
9 process server.

10 (c) Offense based on use of firearm, device, or motor
11 vehicle. A person commits aggravated assault when, in
12 committing an assault, he or she does any of the following:

13 (1) Uses a deadly weapon, an air rifle as defined in
14 Section 24.8-0.1 of this Act, or any device manufactured
15 and designed to be substantially similar in appearance to a
16 firearm, other than by discharging a firearm.

17 (2) Discharges a firearm, other than from a motor
18 vehicle.

19 (3) Discharges a firearm from a motor vehicle.

20 (4) Wears a hood, robe, or mask to conceal his or her
21 identity.

22 (5) Knowingly and without lawful justification shines
23 or flashes a laser gun sight or other laser device attached
24 to a firearm, or used in concert with a firearm, so that
25 the laser beam strikes near or in the immediate vicinity of
26 any person.

1 (6) Uses a firearm, other than by discharging the
2 firearm, against a peace officer, community policing
3 volunteer, fireman, private security officer, emergency
4 management worker, emergency medical services personnel
5 ~~technician~~, employee of a police department, employee of a
6 sheriff's department, or traffic control municipal
7 employee:

8 (i) performing his or her official duties;

9 (ii) assaulted to prevent performance of his or her
10 official duties; or

11 (iii) assaulted in retaliation for performing his
12 or her official duties.

13 (7) Without justification operates a motor vehicle in a
14 manner which places a person, other than a person listed in
15 subdivision (b) (4), in reasonable apprehension of being
16 struck by the moving motor vehicle.

17 (8) Without justification operates a motor vehicle in a
18 manner which places a person listed in subdivision (b) (4),
19 in reasonable apprehension of being struck by the moving
20 motor vehicle.

21 (9) Knowingly video or audio records the offense with
22 the intent to disseminate the recording.

23 (d) Sentence. Aggravated assault as defined in subdivision
24 (a), (b) (1), (b) (2), (b) (3), (b) (4), (b) (7), (b) (8), (b) (9),
25 (c) (1), (c) (4), or (c) (9) is a Class A misdemeanor, except that
26 aggravated assault as defined in subdivision (b) (4) and (b) (7)

1 is a Class 4 felony if a Category I, Category II, or Category
2 III weapon is used in the commission of the assault. Aggravated
3 assault as defined in subdivision (b)(4.1), (b)(5), (b)(6),
4 (b)(10), (c)(2), (c)(5), (c)(6), or (c)(7) is a Class 4 felony.
5 Aggravated assault as defined in subdivision (c)(3) or (c)(8)
6 is a Class 3 felony.

7 (e) For the purposes of this Section, "Category I weapon",
8 "Category II weapon, and "Category III weapon" have the
9 meanings ascribed to those terms in Section 33A-1 of this Code.
10 (Source: P.A. 98-385, eff. 1-1-14; 99-78, eff. 7-20-15; 99-143,
11 eff. 7-27-15; 99-256, eff. 1-1-16; revised 10-19-15.)

12 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

13 Sec. 12-3.05. Aggravated battery.

14 (a) Offense based on injury. A person commits aggravated
15 battery when, in committing a battery, other than by the
16 discharge of a firearm, he or she knowingly does any of the
17 following:

18 (1) Causes great bodily harm or permanent disability or
19 disfigurement.

20 (2) Causes severe and permanent disability, great
21 bodily harm, or disfigurement by means of a caustic or
22 flammable substance, a poisonous gas, a deadly biological
23 or chemical contaminant or agent, a radioactive substance,
24 or a bomb or explosive compound.

25 (3) Causes great bodily harm or permanent disability or

1 disfigurement to an individual whom the person knows to be
2 a peace officer, community policing volunteer, fireman,
3 private security officer, correctional institution
4 employee, or Department of Human Services employee
5 supervising or controlling sexually dangerous persons or
6 sexually violent persons:

7 (i) performing his or her official duties;

8 (ii) battered to prevent performance of his or her
9 official duties; or

10 (iii) battered in retaliation for performing his
11 or her official duties.

12 (4) Causes great bodily harm or permanent disability or
13 disfigurement to an individual 60 years of age or older.

14 (5) Strangles another individual.

15 (b) Offense based on injury to a child or person with an
16 intellectual disability. A person who is at least 18 years of
17 age commits aggravated battery when, in committing a battery,
18 he or she knowingly and without legal justification by any
19 means:

20 (1) causes great bodily harm or permanent disability or
21 disfigurement to any child under the age of 13 years, or to
22 any person with a severe or profound intellectual
23 disability; or

24 (2) causes bodily harm or disability or disfigurement
25 to any child under the age of 13 years or to any person
26 with a severe or profound intellectual disability.

1 (c) Offense based on location of conduct. A person commits
2 aggravated battery when, in committing a battery, other than by
3 the discharge of a firearm, he or she is or the person battered
4 is on or about a public way, public property, a public place of
5 accommodation or amusement, a sports venue, or a domestic
6 violence shelter.

7 (d) Offense based on status of victim. A person commits
8 aggravated battery when, in committing a battery, other than by
9 discharge of a firearm, he or she knows the individual battered
10 to be any of the following:

11 (1) A person 60 years of age or older.

12 (2) A person who is pregnant or has a physical
13 disability.

14 (3) A teacher or school employee upon school grounds or
15 grounds adjacent to a school or in any part of a building
16 used for school purposes.

17 (4) A peace officer, community policing volunteer,
18 fireman, private security officer, correctional
19 institution employee, or Department of Human Services
20 employee supervising or controlling sexually dangerous
21 persons or sexually violent persons:

22 (i) performing his or her official duties;

23 (ii) battered to prevent performance of his or her
24 official duties; or

25 (iii) battered in retaliation for performing his
26 or her official duties.

1 (5) A judge, emergency management worker, emergency
2 medical services personnel technician, or utility worker:

3 (i) performing his or her official duties;

4 (ii) battered to prevent performance of his or her
5 official duties; or

6 (iii) battered in retaliation for performing his
7 or her official duties.

8 (6) An officer or employee of the State of Illinois, a
9 unit of local government, or a school district, while
10 performing his or her official duties.

11 (7) A transit employee performing his or her official
12 duties, or a transit passenger.

13 (8) A taxi driver on duty.

14 (9) A merchant who detains the person for an alleged
15 commission of retail theft under Section 16-26 of this Code
16 and the person without legal justification by any means
17 causes bodily harm to the merchant.

18 (10) A person authorized to serve process under Section
19 2-202 of the Code of Civil Procedure or a special process
20 server appointed by the circuit court while that individual
21 is in the performance of his or her duties as a process
22 server.

23 (11) A nurse while in the performance of his or her
24 duties as a nurse.

25 (e) Offense based on use of a firearm. A person commits
26 aggravated battery when, in committing a battery, he or she

1 knowingly does any of the following:

2 (1) Discharges a firearm, other than a machine gun or a
3 firearm equipped with a silencer, and causes any injury to
4 another person.

5 (2) Discharges a firearm, other than a machine gun or a
6 firearm equipped with a silencer, and causes any injury to
7 a person he or she knows to be a peace officer, community
8 policing volunteer, person summoned by a police officer,
9 fireman, private security officer, correctional
10 institution employee, or emergency management worker:

11 (i) performing his or her official duties;

12 (ii) battered to prevent performance of his or her
13 official duties; or

14 (iii) battered in retaliation for performing his
15 or her official duties.

16 (3) Discharges a firearm, other than a machine gun or a
17 firearm equipped with a silencer, and causes any injury to
18 a person he or she knows to be ~~an~~ emergency medical
19 services personnel technician employed by a municipality
20 ~~or other governmental unit~~:

21 (i) performing his or her official duties;

22 (ii) battered to prevent performance of his or her
23 official duties; or

24 (iii) battered in retaliation for performing his
25 or her official duties.

26 (4) Discharges a firearm and causes any injury to a

1 person he or she knows to be a teacher, a student in a
2 school, or a school employee, and the teacher, student, or
3 employee is upon school grounds or grounds adjacent to a
4 school or in any part of a building used for school
5 purposes.

6 (5) Discharges a machine gun or a firearm equipped with
7 a silencer, and causes any injury to another person.

8 (6) Discharges a machine gun or a firearm equipped with
9 a silencer, and causes any injury to a person he or she
10 knows to be a peace officer, community policing volunteer,
11 person summoned by a police officer, fireman, private
12 security officer, correctional institution employee or
13 emergency management worker:

14 (i) performing his or her official duties;

15 (ii) battered to prevent performance of his or her
16 official duties; or

17 (iii) battered in retaliation for performing his
18 or her official duties.

19 (7) Discharges a machine gun or a firearm equipped with
20 a silencer, and causes any injury to a person he or she
21 knows to be ~~an~~ emergency medical services personnel
22 ~~technician employed by a municipality or other~~
23 ~~governmental unit:~~

24 (i) performing his or her official duties;

25 (ii) battered to prevent performance of his or her
26 official duties; or

1 (iii) battered in retaliation for performing his
2 or her official duties.

3 (8) Discharges a machine gun or a firearm equipped with
4 a silencer, and causes any injury to a person he or she
5 knows to be a teacher, or a student in a school, or a
6 school employee, and the teacher, student, or employee is
7 upon school grounds or grounds adjacent to a school or in
8 any part of a building used for school purposes.

9 (f) Offense based on use of a weapon or device. A person
10 commits aggravated battery when, in committing a battery, he or
11 she does any of the following:

12 (1) Uses a deadly weapon other than by discharge of a
13 firearm, or uses an air rifle as defined in Section
14 24.8-0.1 of this Code.

15 (2) Wears a hood, robe, or mask to conceal his or her
16 identity.

17 (3) Knowingly and without lawful justification shines
18 or flashes a laser gunsight or other laser device attached
19 to a firearm, or used in concert with a firearm, so that
20 the laser beam strikes upon or against the person of
21 another.

22 (4) Knowingly video or audio records the offense with
23 the intent to disseminate the recording.

24 (g) Offense based on certain conduct. A person commits
25 aggravated battery when, other than by discharge of a firearm,
26 he or she does any of the following:

1 (1) Violates Section 401 of the Illinois Controlled
2 Substances Act by unlawfully delivering a controlled
3 substance to another and any user experiences great bodily
4 harm or permanent disability as a result of the injection,
5 inhalation, or ingestion of any amount of the controlled
6 substance.

7 (2) Knowingly administers to an individual or causes
8 him or her to take, without his or her consent or by threat
9 or deception, and for other than medical purposes, any
10 intoxicating, poisonous, stupefying, narcotic, anesthetic,
11 or controlled substance, or gives to another person any
12 food containing any substance or object intended to cause
13 physical injury if eaten.

14 (3) Knowingly causes or attempts to cause a
15 correctional institution employee or Department of Human
16 Services employee to come into contact with blood, seminal
17 fluid, urine, or feces by throwing, tossing, or expelling
18 the fluid or material, and the person is an inmate of a
19 penal institution or is a sexually dangerous person or
20 sexually violent person in the custody of the Department of
21 Human Services.

22 (h) Sentence. Unless otherwise provided, aggravated
23 battery is a Class 3 felony.

24 Aggravated battery as defined in subdivision (a)(4),
25 (d)(4), or (g)(3) is a Class 2 felony.

26 Aggravated battery as defined in subdivision (a)(3) or

1 (g) (1) is a Class 1 felony.

2 Aggravated battery as defined in subdivision (a) (1) is a
3 Class 1 felony when the aggravated battery was intentional and
4 involved the infliction of torture, as defined in paragraph
5 (14) of subsection (b) of Section 9-1 of this Code, as the
6 infliction of or subjection to extreme physical pain, motivated
7 by an intent to increase or prolong the pain, suffering, or
8 agony of the victim.

9 Aggravated battery under subdivision (a) (5) is a Class 1
10 felony if:

11 (A) the person used or attempted to use a dangerous
12 instrument while committing the offense; or

13 (B) the person caused great bodily harm or permanent
14 disability or disfigurement to the other person while
15 committing the offense; or

16 (C) the person has been previously convicted of a
17 violation of subdivision (a) (5) under the laws of this
18 State or laws similar to subdivision (a) (5) of any other
19 state.

20 Aggravated battery as defined in subdivision (e) (1) is a
21 Class X felony.

22 Aggravated battery as defined in subdivision (a) (2) is a
23 Class X felony for which a person shall be sentenced to a term
24 of imprisonment of a minimum of 6 years and a maximum of 45
25 years.

26 Aggravated battery as defined in subdivision (e) (5) is a

1 Class X felony for which a person shall be sentenced to a term
2 of imprisonment of a minimum of 12 years and a maximum of 45
3 years.

4 Aggravated battery as defined in subdivision (e) (2),
5 (e) (3), or (e) (4) is a Class X felony for which a person shall
6 be sentenced to a term of imprisonment of a minimum of 15 years
7 and a maximum of 60 years.

8 Aggravated battery as defined in subdivision (e) (6),
9 (e) (7), or (e) (8) is a Class X felony for which a person shall
10 be sentenced to a term of imprisonment of a minimum of 20 years
11 and a maximum of 60 years.

12 Aggravated battery as defined in subdivision (b) (1) is a
13 Class X felony, except that:

14 (1) if the person committed the offense while armed
15 with a firearm, 15 years shall be added to the term of
16 imprisonment imposed by the court;

17 (2) if, during the commission of the offense, the
18 person personally discharged a firearm, 20 years shall be
19 added to the term of imprisonment imposed by the court;

20 (3) if, during the commission of the offense, the
21 person personally discharged a firearm that proximately
22 caused great bodily harm, permanent disability, permanent
23 disfigurement, or death to another person, 25 years or up
24 to a term of natural life shall be added to the term of
25 imprisonment imposed by the court.

26 (i) Definitions. For the purposes of this Section:

1 "Building or other structure used to provide shelter" has
2 the meaning ascribed to "shelter" in Section 1 of the Domestic
3 Violence Shelters Act.

4 "Domestic violence" has the meaning ascribed to it in
5 Section 103 of the Illinois Domestic Violence Act of 1986.

6 "Domestic violence shelter" means any building or other
7 structure used to provide shelter or other services to victims
8 or to the dependent children of victims of domestic violence
9 pursuant to the Illinois Domestic Violence Act of 1986 or the
10 Domestic Violence Shelters Act, or any place within 500 feet of
11 such a building or other structure in the case of a person who
12 is going to or from such a building or other structure.

13 "Firearm" has the meaning provided under Section 1.1 of the
14 Firearm Owners Identification Card Act, and does not include an
15 air rifle as defined by Section 24.8-0.1 of this Code.

16 "Machine gun" has the meaning ascribed to it in Section
17 24-1 of this Code.

18 "Merchant" has the meaning ascribed to it in Section 16-0.1
19 of this Code.

20 "Strangle" means intentionally impeding the normal
21 breathing or circulation of the blood of an individual by
22 applying pressure on the throat or neck of that individual or
23 by blocking the nose or mouth of that individual.

24 (Source: P.A. 98-369, eff. 1-1-14; 98-385, eff. 1-1-14; 98-756,
25 eff. 7-16-14; 99-143, eff. 7-27-15.)

1 (720 ILCS 5/24-1.2) (from Ch. 38, par. 24-1.2)

2 Sec. 24-1.2. Aggravated discharge of a firearm.

3 (a) A person commits aggravated discharge of a firearm when
4 he or she knowingly or intentionally:

5 (1) Discharges a firearm at or into a building he or
6 she knows or reasonably should know to be occupied and the
7 firearm is discharged from a place or position outside that
8 building;

9 (2) Discharges a firearm in the direction of another
10 person or in the direction of a vehicle he or she knows or
11 reasonably should know to be occupied by a person;

12 (3) Discharges a firearm in the direction of a person
13 he or she knows to be a peace officer, a community policing
14 volunteer, a correctional institution employee, or a
15 fireman while the officer, volunteer, employee or fireman
16 is engaged in the execution of any of his or her official
17 duties, or to prevent the officer, volunteer, employee or
18 fireman from performing his or her official duties, or in
19 retaliation for the officer, volunteer, employee or
20 fireman performing his or her official duties;

21 (4) Discharges a firearm in the direction of a vehicle
22 he or she knows to be occupied by a peace officer, a person
23 summoned or directed by a peace officer, a correctional
24 institution employee or a fireman while the officer,
25 employee or fireman is engaged in the execution of any of
26 his or her official duties, or to prevent the officer,

1 employee or fireman from performing his or her official
2 duties, or in retaliation for the officer, employee or
3 fireman performing his or her official duties;

4 (5) Discharges a firearm in the direction of a person
5 he or she knows to be ~~an~~ emergency medical services
6 personnel who ~~technician ambulance, emergency medical~~
7 ~~technician intermediate, emergency medical technician~~
8 ~~paramedic, ambulance driver, or other medical assistance~~
9 ~~or first aid personnel, employed by a municipality or other~~
10 ~~governmental unit, while the emergency medical technician~~
11 ~~ambulance, emergency medical technician intermediate,~~
12 ~~emergency medical technician paramedic, ambulance~~
13 ~~driver, or other medical assistance or first aid personnel~~
14 is engaged in the execution of any of his or her official
15 duties, or to prevent the emergency medical services
16 personnel ~~technician ambulance, emergency medical~~
17 ~~technician intermediate, emergency medical technician~~
18 ~~paramedic, ambulance driver, or other medical assistance~~
19 ~~or first aid personnel~~ from performing his or her official
20 duties, or in retaliation for the emergency medical
21 services personnel ~~technician ambulance, emergency~~
22 ~~medical technician intermediate, emergency medical~~
23 ~~technician paramedic, ambulance driver, or other medical~~
24 ~~assistance or first aid personnel~~ performing his or her
25 official duties;

26 (6) Discharges a firearm in the direction of a vehicle

1 he or she knows to be occupied by ~~an~~ emergency medical
2 services personnel ~~technician — ambulance, emergency~~
3 ~~medical technician — intermediate, emergency medical~~
4 ~~technician — paramedic, ambulance driver, or other medical~~
5 ~~assistance or first aid personnel, employed by a~~
6 ~~municipality or other governmental unit,~~ while the
7 emergency medical services personnel ~~is technician —~~
8 ~~ambulance, emergency medical technician — intermediate,~~
9 ~~emergency medical technician — paramedic, ambulance~~
10 ~~driver, or other medical assistance or first aid personnel~~
11 ~~is~~ engaged in the execution of any of his or her official
12 duties, or to prevent the emergency medical services
13 personnel ~~technician — ambulance, emergency medical~~
14 ~~technician — intermediate, emergency medical technician —~~
15 ~~paramedic, ambulance driver, or other medical assistance~~
16 ~~or first aid personnel~~ from performing his or her official
17 duties, or in retaliation for the emergency medical
18 services personnel ~~technician — ambulance, emergency~~
19 ~~medical technician — intermediate, emergency medical~~
20 ~~technician — paramedic, ambulance driver, or other medical~~
21 ~~assistance or first aid personnel~~ performing his or her
22 official duties;

23 (7) Discharges a firearm in the direction of a person
24 he or she knows to be a teacher or other person employed in
25 any school and the teacher or other employee is upon the
26 grounds of a school or grounds adjacent to a school, or is

1 in any part of a building used for school purposes;

2 (8) Discharges a firearm in the direction of a person
3 he or she knows to be an emergency management worker while
4 the emergency management worker is engaged in the execution
5 of any of his or her official duties, or to prevent the
6 emergency management worker from performing his or her
7 official duties, or in retaliation for the emergency
8 management worker performing his or her official duties; or

9 (9) Discharges a firearm in the direction of a vehicle
10 he or she knows to be occupied by an emergency management
11 worker while the emergency management worker is engaged in
12 the execution of any of his or her official duties, or to
13 prevent the emergency management worker from performing
14 his or her official duties, or in retaliation for the
15 emergency management worker performing his or her official
16 duties.

17 (b) A violation of subsection (a)(1) or subsection (a)(2)
18 of this Section is a Class 1 felony. A violation of subsection
19 (a)(1) or (a)(2) of this Section committed in a school, on the
20 real property comprising a school, within 1,000 feet of the
21 real property comprising a school, at a school related activity
22 or on or within 1,000 feet of any conveyance owned, leased, or
23 contracted by a school to transport students to or from school
24 or a school related activity, regardless of the time of day or
25 time of year that the offense was committed is a Class X
26 felony. A violation of subsection (a)(3), (a)(4), (a)(5),

1 (a) (6), (a) (7), (a) (8), or (a) (9) of this Section is a Class X
2 felony for which the sentence shall be a term of imprisonment
3 of no less than 10 years and not more than 45 years.

4 (c) For purposes of this Section:

5 "Emergency medical services personnel" has the meaning
6 specified in Section 3.5 of the Emergency Medical Services
7 (EMS) Systems Act.

8 "School" means a public or private elementary or secondary
9 school, community college, college, or university.

10 "School related activity" means any sporting, social,
11 academic, or other activity for which students' attendance or
12 participation is sponsored, organized, or funded in whole or in
13 part by a school or school district.

14 (Source: P.A. 94-243, eff. 1-1-06.)

15 (720 ILCS 5/24-1.2-5)

16 Sec. 24-1.2-5. Aggravated discharge of a machine gun or a
17 firearm equipped with a device designed or used for silencing
18 the report of a firearm.

19 (a) A person commits aggravated discharge of a machine gun
20 or a firearm equipped with a device designed or used for
21 silencing the report of a firearm when he or she knowingly or
22 intentionally:

23 (1) Discharges a machine gun or a firearm equipped with
24 a device designed or used for silencing the report of a
25 firearm at or into a building he or she knows to be

1 occupied and the machine gun or the firearm equipped with a
2 device designed or used for silencing the report of a
3 firearm is discharged from a place or position outside that
4 building;

5 (2) Discharges a machine gun or a firearm equipped with
6 a device designed or used for silencing the report of a
7 firearm in the direction of another person or in the
8 direction of a vehicle he or she knows to be occupied;

9 (3) Discharges a machine gun or a firearm equipped with
10 a device designed or used for silencing the report of a
11 firearm in the direction of a person he or she knows to be
12 a peace officer, a person summoned or directed by a peace
13 officer, a correctional institution employee, or a fireman
14 while the officer, employee or fireman is engaged in the
15 execution of any of his or her official duties, or to
16 prevent the officer, employee or fireman from performing
17 his or her official duties, or in retaliation for the
18 officer, employee or fireman performing his or her official
19 duties;

20 (4) Discharges a machine gun or a firearm equipped with
21 a device designed or used for silencing the report of a
22 firearm in the direction of a vehicle he or she knows to be
23 occupied by a peace officer, a person summoned or directed
24 by a peace officer, a correctional institution employee or
25 a fireman while the officer, employee or fireman is engaged
26 in the execution of any of his or her official duties, or

1 to prevent the officer, employee or fireman from performing
2 his or her official duties, or in retaliation for the
3 officer, employee or fireman performing his or her official
4 duties;

5 (5) Discharges a machine gun or a firearm equipped with
6 a device designed or used for silencing the report of a
7 firearm in the direction of a person he or she knows to be
8 ~~an~~ emergency medical services personnel technician
9 ~~ambulance, emergency medical technician intermediate,~~
10 ~~emergency medical technician paramedic, ambulance~~
11 ~~driver, or other medical assistance or first aid personnel,~~
12 ~~employed by a municipality or other governmental unit,~~
13 while the emergency medical services personnel is
14 ~~technician ambulance, emergency medical technician~~
15 ~~intermediate, emergency medical technician paramedic,~~
16 ~~ambulance driver, or other medical assistance or first aid~~
17 ~~personnel is~~ engaged in the execution of any of his or her
18 official duties, or to prevent the emergency medical
19 services personnel technician ~~ambulance, emergency~~
20 ~~medical technician intermediate, emergency medical~~
21 ~~technician paramedic, ambulance driver, or other medical~~
22 ~~assistance or first aid personnel~~ from performing his or
23 her official duties, or in retaliation for the emergency
24 medical services personnel technician ~~ambulance,~~
25 ~~emergency medical technician intermediate, emergency~~
26 ~~medical technician paramedic, ambulance driver, or other~~

1 ~~medical assistance or first aid personnel~~ performing his or
2 her official duties;

3 (6) Discharges a machine gun or a firearm equipped with
4 a device designed or used for silencing the report of a
5 firearm in the direction of a vehicle he or she knows to be
6 occupied by ~~an~~ emergency medical services personnel
7 ~~technician ambulance, emergency medical technician~~
8 ~~intermediate, emergency medical technician paramedic,~~
9 ~~ambulance driver, or other medical assistance or first aid~~
10 ~~personnel, employed by a municipality or other~~
11 ~~governmental unit, while the emergency medical services~~
12 ~~personnel technician ambulance, emergency medical~~
13 ~~technician intermediate, emergency medical technician~~
14 ~~paramedic, ambulance driver, or other medical assistance~~
15 ~~or first aid personnel~~ is engaged in the execution of any
16 of his or her official duties, or to prevent the emergency
17 medical services personnel ~~technician ambulance,~~
18 ~~emergency medical technician intermediate, emergency~~
19 ~~medical technician paramedic, ambulance driver, or other~~
20 ~~medical assistance or first aid personnel~~ from performing
21 his or her official duties, or in retaliation for the
22 emergency medical services personnel ~~technician~~
23 ~~ambulance, emergency medical technician intermediate,~~
24 ~~emergency medical technician paramedic, ambulance~~
25 ~~driver, or other medical assistance or first aid personnel~~
26 performing his or her official duties;

1 (7) Discharges a machine gun or a firearm equipped with
2 a device designed or used for silencing the report of a
3 firearm in the direction of a person he or she knows to be
4 an emergency management worker while the emergency
5 management worker is engaged in the execution of any of his
6 or her official duties, or to prevent the emergency
7 management worker from performing his or her official
8 duties, or in retaliation for the emergency management
9 worker performing his or her official duties; or

10 (8) Discharges a machine gun or a firearm equipped with
11 a device designed or used for silencing the report of a
12 firearm in the direction of a vehicle he or she knows to be
13 occupied by an emergency management worker while the
14 emergency management worker is engaged in the execution of
15 any of his or her official duties, or to prevent the
16 emergency management worker from performing his or her
17 official duties, or in retaliation for the emergency
18 management worker performing his or her official duties.

19 (b) A violation of subsection (a) (1) or subsection (a) (2)
20 of this Section is a Class X felony. A violation of subsection
21 (a) (3), (a) (4), (a) (5), (a) (6), (a) (7), or (a) (8) of this
22 Section is a Class X felony for which the sentence shall be a
23 term of imprisonment of no less than 12 years and no more than
24 50 years.

25 (c) For the purpose of this Section:

26 "Emergency medical services personnel" has the meaning

1 specified in Section 3.5 of the Emergency Medical Services
2 (EMS) Systems Act. 7

3 "Machine ~~"machine~~ gun" has the meaning ascribed to it
4 in clause (i) of paragraph (7) of subsection (a) of Section
5 24-1 of this Code.

6 (d) This Section does not apply to a peace officer while
7 serving as a member of a tactical response team or special
8 operations team. A peace officer may not personally own or
9 apply for ownership of a device or attachment of any kind
10 designed, used, or intended for use in silencing the report of
11 any firearm. These devices shall be owned and maintained by
12 lawfully recognized units of government whose duties include
13 the investigation of criminal acts.

14 (Source: P.A. 97-676, eff. 6-1-12.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.