



Rep. Jack D. Franks

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09700SB2537ham005

LRB097 14538 MRW 70507 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 3, on page 1, line 6, by replacing "Section 31-4" with
5 "Sections 12-9 and 31-4"; and

6 on page 3, by inserting immediately below line 3 the following:

7 "(720 ILCS 5/12-9) (from Ch. 38, par. 12-9)

8 Sec. 12-9. Threatening public officials.

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

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

13 (i) containing a threat that would place the public
14 official or a member of his or her immediate family in
15 reasonable apprehension of immediate or future bodily
16 harm, sexual assault, confinement, or restraint; or

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

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

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

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

20 (b) For purposes of this Section:

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

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

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

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

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