



Rep. Kathleen Willis

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10000HB0531ham003

LRB100 05907 RLC 24172 a

1 AMENDMENT TO HOUSE BILL 531

2 AMENDMENT NO. _____. Amend House Bill 531 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by adding
5 Section 12-5.1b as follows:

6 (720 ILCS 5/12-5.1b new)

7 Sec. 12-5.1b. First responder endangerment.

8 (a) As used in this Section:

9 "Commercial property" means developed real property
10 used exclusively for business purposes, and does not
11 include residential or multi-family real property.

12 "Dangerous condition" means a patently obvious
13 condition of a life-threatening nature that results from
14 structural or architectural work done without first
15 submitting for a permit, or from a building code violation
16 of which the person received actual notice from the code

1 compliance official and failed to take corrective action
2 within the time period specified by the code compliance
3 official. "Dangerous condition" does not include actions
4 undertaken without a permit to address or remediate a
5 situation or condition that presents a clear and present
6 threat to safety or to the integrity of the building.
7 "Dangerous condition" does not include any failure by a
8 governmental entity to make capital improvements or fund
9 repairs that are not supported by an appropriation or
10 budget enacted or adopted specifically for the property.

11 "First responder" means emergency medical services
12 personnel as defined in Section 3.5 of the Emergency
13 Medical Services (EMS) Systems Act, a law enforcement
14 officer, or firefighter.

15 "Management or operational control" means the lawful
16 ownership of or direct contractual relationship with the
17 lawful owner for the person to manage the commercial
18 property. "Management or operational control" does not
19 include engineering, security, elevator operating, or dock
20 or janitorial services performed by any person who is
21 retained exclusively to provide the services and who does
22 not have overall management or operational control of the
23 building.

24 "Person" means a natural person, and only includes an
25 individual who had personal or professional management or
26 operational control of commercial real estate and who

1 directly exercised final decision-making authority to
2 create and conceal the dangerous condition causing death or
3 serious bodily injury.

4 "Serious bodily injury" means bodily injury that
5 results in a permanent disfigurement or permanent loss or
6 impairment of a bodily function, limb, or organ.

7 (b) A person commits first responder endangerment when he
8 or she (1) knowingly creates a dangerous condition and (2)
9 intentionally conceals the dangerous condition in a commercial
10 property under his or her management or operational control and
11 the dangerous condition is the primary cause of the death or
12 serious bodily injury of a first responder in the course of his
13 or her official duties.

14 (c) Sentence. First responder endangerment is a Class 4
15 felony."