



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5213

Introduced 1/31/2022, by Rep. Jaime M. Andrade, Jr.

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-6.6 new

Amends the Criminal Code of 2012. Creates the offense of criminal instigation. Provides that a person commits the offense when the person knowingly: (1) makes a verbal or non-verbal threat of violence against another person; and 2) publishes the threat on a social media website. Provides that criminal instigation is a Class A misdemeanor. Defines "non-verbal threat" and "social media website".

LRB102 25178 RLC 34442 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 adding  
5 Section 12-6.6 as follows:

6 (720 ILCS 5/12-6.6 new)

7 Sec. 12-6.6. Criminal instigation.

8 (a) In this Section:

9 "Non-verbal threat" includes, but is not limited to,  
10 brandishing a firearm or other weapon in a threatening manner.

11 "Social media website" means a service, platform, or site  
12 where users communicate with one another and share media, such  
13 as pictures, videos, music, and blogs, with other users free  
14 of charge or through subscription.

15 (b) A person commits criminal instigation when the person  
16 knowingly:

17 (1) makes a verbal or non-verbal threat of violence  
18 against another person; and

19 (2) publishes the threat on a social media website.

20 (c) Sentence. Criminal instigation is a Class A  
21 misdemeanor.