

# SB3015



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3015

Introduced 1/5/2022, by Sen. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-9

from Ch. 38, par. 12-9

Amends the Criminal Code of 2012. In the statute concerning threatening a public official or human service provider, includes in the definition of "public official" a public health officer or administrator of the State or a unit of local government.

LRB102 22865 RLC 32016 b

A BILL FOR

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  
5 changing Section 12-9 as follows:

6 (720 ILCS 5/12-9) (from Ch. 38, par. 12-9)

7 Sec. 12-9. Threatening public officials; human service  
8 providers.

9 (a) A person commits threatening a public official or  
10 human service provider when:

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

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

19 (ii) containing a threat that would place the  
20 public official or human service provider or a member  
21 of his or her immediate family in reasonable  
22 apprehension that damage will occur to property in the  
23 custody, care, or control of the public official or

1 his or her immediate family; and

2 (2) the threat was conveyed because of the performance  
3 or nonperformance of some public duty or duty as a human  
4 service provider, because of hostility of the person  
5 making the threat toward the status or position of the  
6 public official or the human service provider, or because  
7 of any other factor related to the official's public  
8 existence.

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

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

18 (b) For purposes of this Section:

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

1           duly appointed assistant State's Attorney, assistant  
2           Attorney General, or Appellate Prosecutor; a sworn law  
3           enforcement or peace officer; a social worker, caseworker,  
4           attorney, or investigator employed by the Department of  
5           Healthcare and Family Services, the Department of Human  
6           Services, the Department of Children and Family Services,  
7           or the Guardianship and Advocacy Commission; or an  
8           assistant public guardian, attorney, social worker, case  
9           manager, or investigator employed by a duly appointed  
10          public guardian. "Public official" includes a public  
11          health officer or administrator of the State or a unit of  
12          local government.

13                 (1.5) "Human service provider" means a social worker,  
14                 case worker, or investigator employed by an agency or  
15                 organization providing social work, case work, or  
16                 investigative services under a contract with or a grant  
17                 from the Department of Human Services, the Department of  
18                 Children and Family Services, the Department of Healthcare  
19                 and Family Services, or the Department on Aging.

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

22                 (c) Threatening a public official or human service  
23                 provider is a Class 3 felony for a first offense and a Class 2  
24                 felony for a second or subsequent offense.

25                 (Source: P.A. 100-1, eff. 1-1-18.)