

# SB1976



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1976

Introduced 2/9/2023, by Sen. Terri Bryant

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-3.1-5 new

Amends the Criminal Code of 2012. Creates the offense of domestic assault. Provides that a person commits the offense when, without lawful authority, he or she knowingly engages in conduct that places any family or household member in reasonable apprehension of great bodily harm, or permanent disability or disfigurement. Provides that if the defendant is arrested for domestic assault, upon release of the defendant from custody pending trial, the court, at the preliminary examination, shall order that the defendant refrain from contact or communication with the victim of the domestic assault and refrain from entering or remaining at the victim's residence for a minimum of 72 consecutive hours. Provides that domestic assault is a Class A misdemeanor. Defines "family or household member".

LRB103 26132 RLC 52489 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 adding  
5 Section 12-3.1-5 as follows:

6 (720 ILCS 5/12-3.1-5 new)

7 Sec. 12-3.1-5. Domestic assault.

8 (a) In this Section, "family or household member" has the  
9 meaning ascribed to it in Section 112A-3 of the Code of  
10 Criminal Procedure of 1963.

11 (b) A person commits a domestic assault when, without  
12 lawful authority, he or she knowingly engages in conduct that  
13 places any family or household member in reasonable  
14 apprehension of great bodily harm, or permanent disability or  
15 disfigurement.

16 (c) If the defendant is arrested for domestic assault,  
17 upon release of the defendant from custody pending trial, the  
18 court, at the preliminary examination held under Section 109-1  
19 of the Code of Criminal Procedure of 1963, shall order that the  
20 defendant refrain from contact or communication with the  
21 victim of the domestic assault and refrain from entering or  
22 remaining at the victim's residence for a minimum of 72  
23 consecutive hours.

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(d) Sentence. Domestic assault is a Class A misdemeanor.