



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB3984

Introduced 1/5/2004, by Patricia R. Bellock

SYNOPSIS AS INTRODUCED:

720 ILCS 5/29D-10
720 ILCS 5/29D-31 new
720 ILCS 5/29D-32 new

Amends the Terrorism Article of the Criminal Code of 1961. Creates the offense of endangering the food supply and the offense of endangering the water supply. Provides that a violation is a Class X felony. Provides that a commission of either offense constitutes an act of terrorism. Effective immediately.

LRB093 15221 RLC 40817 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 1961 is amended by changing
5 Section 29D-10 and by adding Sections 29D-31 and 29D-32 as
6 follows:

7 (720 ILCS 5/29D-10)

8 Sec. 29D-10. Definitions. As used in this Article, where
9 not otherwise distinctly expressed or manifestly incompatible
10 with the intent of this Article:

11 (a) "Computer network" means a set of related, remotely
12 connected devices and any communications facilities including
13 more than one computer with the capability to transmit data
14 among them through communication facilities.

15 (b) "Computer" means a device that accepts, processes,
16 stores, retrieves, or outputs data, and includes, but is not
17 limited to, auxiliary storage and telecommunications devices.

18 (c) "Computer program" means a series of coded instruction
19 or statements in a form acceptable to a computer which causes
20 the computer to process data and supply the results of data
21 processing.

22 (d) "Data" means representations of information,
23 knowledge, facts, concepts or instructions, including program
24 documentation, that are prepared in a formalized manner and are
25 stored or processed in or transmitted by a computer. Data may
26 be in any form, including but not limited to magnetic or
27 optical storage media, punch cards, or data stored internally
28 in the memory of a computer.

29 (e) "Biological products used in or in connection with
30 agricultural production" includes, but is not limited to,
31 seeds, plants, and DNA of plants or animals altered for use in
32 crop or livestock breeding or production or which are sold,

1 intended, designed, or produced for use in crop production or
2 livestock breeding or production.

3 (f) "Agricultural products" means crops and livestock.

4 (g) "Agricultural production" means the breeding and
5 growing of livestock and crops.

6 (g-5) "Animal feed" means an article that is intended for
7 use for food for animals other than humans and that is intended
8 for use as a substantial source of nutrients in the diet of the
9 animal, and is not limited to a mixture intended to be the sole
10 ration of the animal.

11 (g-10) "Contagious or infectious disease" means any
12 disease that can be spread from one subject to another by
13 direct or indirect contact or by an intermediate agent,
14 including, but not limited to, anthrax, all species of
15 brucellosis, equine infectious anemia, hog cholera,
16 pseudorabies, psoroptic mange, rabies, tuberculosis, vesicular
17 stomatitis, avian influenza, pullorum, fowl typhoid,
18 psittacosis, viscerotropic velogenic Newcastle disease, foot
19 and mouth disease, rinderpest, African swine fever,
20 piroplasmiasis, vesicular exanthema, Johne's disease, scabies,
21 scrapies, bovine leukosis, and bovine spongiform
22 encephalopathy.

23 (g-15) "Processed food" means any food other than a raw
24 agricultural commodity and includes any raw agricultural
25 commodity that has been subject to processing, such as canning,
26 cooking, freezing, dehydration, or milling.

27 (g-20) "Raw agricultural commodity" means any food in its
28 raw or natural state, including all fruits that are washed,
29 colored, or otherwise treated in their unpeeled natural form
30 prior to marketing.

31 (h) "Livestock" means animals bred or raised for human
32 consumption.

33 (i) "Crops" means plants raised for: (1) human consumption,
34 (2) fruits that are intended for human consumption, (3)
35 consumption by livestock, and (4) fruits that are intended for
36 consumption by livestock.

1 (j) "Communications systems" means any works, property, or
2 material of any radio, telegraph, telephone, microwave, or
3 cable line, station, or system.

4 (k) "Substantial damage" means monetary damage greater
5 than \$100,000.

6 (l) "Terrorist act" or "act of terrorism" means: (1) any
7 act that is intended to cause or create a risk and does cause
8 or create a risk of death or great bodily harm to one or more
9 persons; (2) any act that disables or destroys the usefulness
10 or operation of any communications system; (3) any act or any
11 series of 2 or more acts committed in furtherance of a single
12 intention, scheme, or design that disables or destroys the
13 usefulness or operation of a computer network, computers,
14 computer programs, or data used by any industry, by any class
15 of business, or by 5 or more businesses or by the federal
16 government, State government, any unit of local government, a
17 public utility, a manufacturer of pharmaceuticals, a national
18 defense contractor, or a manufacturer of chemical or biological
19 products used in or in connection with agricultural production;
20 (4) any act that disables or causes substantial damage to or
21 destruction of any structure or facility used in or used in
22 connection with ground, air, or water transportation; the
23 production or distribution of electricity, gas, oil, or other
24 fuel; the treatment of sewage or the treatment or distribution
25 of water; or controlling the flow of any body of water; (5) any
26 act that causes substantial damage to or destruction of
27 livestock or to crops or a series of 2 or more acts committed
28 in furtherance of a single intention, scheme, or design which,
29 in the aggregate, causes substantial damage to or destruction
30 of livestock or crops; (6) any act that causes substantial
31 damage to or destruction of any hospital or any building or
32 facility used by the federal government, State government, any
33 unit of local government or by a national defense contractor or
34 by a public utility, a manufacturer of pharmaceuticals, a
35 manufacturer of chemical or biological products used in or in
36 connection with agricultural production or the storage or

1 processing of agricultural products or the preparation of
2 agricultural products for food or food products intended for
3 resale or for feed for livestock; ~~or~~ (7) any act that causes
4 substantial damage to any building containing 5 or more
5 businesses of any type or to any building in which 10 or more
6 people reside; or (8) any act in violation of Section 29D-31 or
7 29D-32 of this Code.

8 (m) "Terrorist" and "terrorist organization" means any
9 person who engages or is about to engage in a terrorist act
10 with the intent to intimidate or coerce a significant portion
11 of a civilian population.

12 (n) "Material support or resources" means currency or other
13 financial securities, financial services, lodging, training,
14 safe houses, false documentation or identification,
15 communications equipment, facilities, weapons, lethal
16 substances, explosives, personnel, transportation, any other
17 kind of physical assets or intangible property, and expert
18 services or expert assistance.

19 (o) "Person" has the meaning given in Section 2-15 of this
20 Code and, in addition to that meaning, includes, without
21 limitation, any charitable organization, whether incorporated
22 or unincorporated, any professional fund raiser, professional
23 solicitor, limited liability company, association, joint stock
24 company, association, trust, trustee, or any group of people
25 formally or informally affiliated or associated for a common
26 purpose, and any officer, director, partner, member, or agent
27 of any person.

28 (p) "Render criminal assistance" means to do any of the
29 following with the intent to prevent, hinder, or delay the
30 discovery or apprehension of, or the lodging of a criminal
31 charge against, a person who he or she knows or believes has
32 committed an offense under this Article or is being sought by
33 law enforcement officials for the commission of an offense
34 under this Article, or with the intent to assist a person in
35 profiting or benefiting from the commission of an offense under
36 this Article:

- 1 (1) harbor or conceal the person;
- 2 (2) warn the person of impending discovery or
3 apprehension;
- 4 (3) provide the person with money, transportation, a
5 weapon, a disguise, false identification documents, or any
6 other means of avoiding discovery or apprehension;
- 7 (4) prevent or obstruct, by means of force,
8 intimidation, or deception, anyone from performing an act
9 that might aid in the discovery or apprehension of the
10 person or in the lodging of a criminal charge against the
11 person;
- 12 (5) suppress, by any act of concealment, alteration, or
13 destruction, any physical evidence that might aid in the
14 discovery or apprehension of the person or in the lodging
15 of a criminal charge against the person;
- 16 (6) aid the person to protect or expeditiously profit
17 from an advantage derived from the crime; or
- 18 (7) provide expert services or expert assistance to the
19 person. Providing expert services or expert assistance
20 shall not be construed to apply to: (1) a licensed attorney
21 who discusses with a client the legal consequences of a
22 proposed course of conduct or advises a client of legal or
23 constitutional rights and (2) a licensed medical doctor who
24 provides emergency medical treatment to a person whom he or
25 she believes has committed an offense under this Article
26 if, as soon as reasonably practicable either before or
27 after providing such treatment, he or she notifies a law
28 enforcement agency.

29 (Source: P.A. 92-854, eff. 12-5-02.)

30 (720 ILCS 5/29D-31 new)

31 Sec. 29D-31. Endangering the food supply.

32 (a) A person commits the offense of endangering the food
33 supply when he or she knowingly:

34 (1) brings into this State any domestic animal that is
35 affected with any contagious or infectious disease or any

1 animal that has been exposed to any contagious or
2 infectious disease;

3 (2) exposes any animal in this State to any contagious
4 or infectious disease;

5 (3) delivers any poultry that is infected with any
6 contagious or infectious disease to any poultry producer
7 pursuant to a production contract;

8 (4) except as permitted under the Insect Pest and Plant
9 Disease Act, brings or releases into this State any insect
10 pest or exposes any plant to an insect pest; or

11 (5) exposes any raw agricultural commodity, animal
12 feed, or processed food to any contaminant or contagious or
13 infectious disease.

14 (b) The provisions of this Section do not apply to bona
15 fide experiments and actions related to those experiments
16 carried on by commonly recognized research facilities.

17 (c) Sentence. Endangering the food supply is a Class X
18 felony.

19 (720 ILCS 5/29D-32 new)

20 Sec. 29D-32. Endangering the water supply.

21 (a) A person commits the offense of endangering the water
22 supply when he or she knowingly contaminates a public or
23 private water well or water reservoir or any water supply of a
24 public utility or tampers with the production of bottled or
25 packaged water or tampers with bottled or packaged water at a
26 retail or wholesale mercantile establishment.

27 (b) Sentence. Endangering the water supply is a Class X
28 felony.

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30 Section 99. Effective date. This Act takes effect upon
31 becoming law.