



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/04/04, by Frank Aguilar

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/29D-10

Amends the Criminal Code of 1961. Includes in the definition of "terrorist act" or "act of terrorism" any criminal offense committed by a streetgang member.

LRB093 18814 RLC 44549 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 as follows:

6 (720 ILCS 5/29D-10)

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

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

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

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

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

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

1 livestock breeding or production.

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

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

5 (h) "Livestock" means animals bred or raised for human  
6 consumption.

7 (i) "Crops" means plants raised for: (1) human consumption,  
8 (2) fruits that are intended for human consumption, (3)  
9 consumption by livestock, and (4) fruits that are intended for  
10 consumption by livestock.

11 (j) "Communications systems" means any works, property, or  
12 material of any radio, telegraph, telephone, microwave, or  
13 cable line, station, or system.

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

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

1 livestock or to crops or a series of 2 or more acts committed  
2 in furtherance of a single intention, scheme, or design which,  
3 in the aggregate, causes substantial damage to or destruction  
4 of livestock or crops; (6) any act that causes substantial  
5 damage to or destruction of any hospital or any building or  
6 facility used by the federal government, State government, any  
7 unit of local government or by a national defense contractor or  
8 by a public utility, a manufacturer of pharmaceuticals, a  
9 manufacturer of chemical or biological products used in or in  
10 connection with agricultural production or the storage or  
11 processing of agricultural products or the preparation of  
12 agricultural products for food or food products intended for  
13 resale or for feed for livestock; ~~or~~ (7) any act that causes  
14 substantial damage to any building containing 5 or more  
15 businesses of any type or to any building in which 10 or more  
16 people reside; or (8) any criminal offense committed by a  
17 streetgang member.

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

22 (n) "Material support or resources" means currency or other  
23 financial securities, financial services, lodging, training,  
24 safe houses, false documentation or identification,  
25 communications equipment, facilities, weapons, lethal  
26 substances, explosives, personnel, transportation, any other  
27 kind of physical assets or intangible property, and expert  
28 services or expert assistance.

29 (o) "Person" has the meaning given in Section 2-15 of this  
30 Code and, in addition to that meaning, includes, without  
31 limitation, any charitable organization, whether incorporated  
32 or unincorporated, any professional fund raiser, professional  
33 solicitor, limited liability company, association, joint stock  
34 company, association, trust, trustee, or any group of people  
35 formally or informally affiliated or associated for a common  
36 purpose, and any officer, director, partner, member, or agent

1 of any person.

2 (p) "Render criminal assistance" means to do any of the  
3 following with the intent to prevent, hinder, or delay the  
4 discovery or apprehension of, or the lodging of a criminal  
5 charge against, a person who he or she knows or believes has  
6 committed an offense under this Article or is being sought by  
7 law enforcement officials for the commission of an offense  
8 under this Article, or with the intent to assist a person in  
9 profiting or benefiting from the commission of an offense under  
10 this Article:

11 (1) harbor or conceal the person;

12 (2) warn the person of impending discovery or  
13 apprehension;

14 (3) provide the person with money, transportation, a  
15 weapon, a disguise, false identification documents, or any  
16 other means of avoiding discovery or apprehension;

17 (4) prevent or obstruct, by means of force,  
18 intimidation, or deception, anyone from performing an act  
19 that might aid in the discovery or apprehension of the  
20 person or in the lodging of a criminal charge against the  
21 person;

22 (5) suppress, by any act of concealment, alteration, or  
23 destruction, any physical evidence that might aid in the  
24 discovery or apprehension of the person or in the lodging  
25 of a criminal charge against the person;

26 (6) aid the person to protect or expeditiously profit  
27 from an advantage derived from the crime; or

28 (7) provide expert services or expert assistance to the  
29 person. Providing expert services or expert assistance  
30 shall not be construed to apply to: (1) a licensed attorney  
31 who discusses with a client the legal consequences of a  
32 proposed course of conduct or advises a client of legal or  
33 constitutional rights and (2) a licensed medical doctor who  
34 provides emergency medical treatment to a person whom he or  
35 she believes has committed an offense under this Article  
36 if, as soon as reasonably practicable either before or

1 after providing such treatment, he or she notifies a law  
2 enforcement agency.

3 (q) "Streetgang member" has the meaning ascribed to it in  
4 Section 10 of the Illinois Streetgang Terrorism Omnibus  
5 Prevention Act.

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