



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by James H. Meyer

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-7.4

from Ch. 38, par. 12-7.4

Amends the Criminal Code of 1961. Increases the sentence for aggravated stalking to a Class 2 (instead of Class 3) felony for a first offense and to a Class 1 (instead of Class 2) felony for a second or subsequent conviction.

LRB093 18074 RLC 43761 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT in relation to 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 12-7.4 as follows:

6 (720 ILCS 5/12-7.4) (from Ch. 38, par. 12-7.4)

7 Sec. 12-7.4. Aggravated stalking.

8 (a) A person commits aggravated stalking when he or she, in
9 conjunction with committing the offense of stalking, also does
10 any of the following:

11 (1) causes bodily harm to the victim;

12 (2) confines or restrains the victim; or

13 (3) violates a temporary restraining order, an order of
14 protection, or an injunction prohibiting the behavior
15 described in subsection (b)(1) of Section 214 of the
16 Illinois Domestic Violence Act of 1986.

17 (b) Sentence. Aggravated stalking is a Class 2 ~~3~~ felony. A
18 second or subsequent conviction for aggravated stalking is a
19 Class 1 ~~2~~ felony.

20 (c) Exemption. This Section does not apply to picketing
21 occurring at the workplace that is otherwise lawful and arises
22 out of a bona fide labor dispute, or any exercise of the right
23 of free speech or assembly that is otherwise lawful.

24 (d) For purposes of this Section, "bona fide labor dispute"
25 has the meaning ascribed to it in Section 12-7.3.

26 (Source: P.A. 88-402; 88-677, eff. 12-15-94; 89-377, eff.
27 8-18-95.)