

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

10 (g-10) "Contagious or infectious disease" means a specific
11 disease designated by the Illinois Department of Agriculture as
12 contagious or infectious under rules pertaining to the Illinois
13 Diseased Animals Act.

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

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

22 (g-25) "Endangering the food supply" means to knowingly:

23 (1) bring into this State any domestic animal that is
24 affected with any contagious or infectious disease or any
25 animal that has been exposed to any contagious or
26 infectious disease;

27 (2) expose any animal in this State to any contagious
28 or infectious disease;

29 (3) deliver any poultry that is infected with any
30 contagious or infectious disease to any poultry producer
31 pursuant to a production contract;

32 (4) except as permitted under the Insect Pest and Plant
33 Disease Act, bring or release into this State any insect
34 pest or expose any plant to an insect pest; or

35 (5) expose any raw agricultural commodity, animal
36 feed, or processed food to any contaminant or contagious or

1 infectious disease.

2 "Endangering the food supply" does not include bona fide
3 experiments and actions related to those experiments carried on
4 by commonly recognized research facilities or actions by
5 agricultural producers and animal health professionals who may
6 inadvertently contribute to the spread of detrimental
7 biological agents while employing generally acceptable
8 management practices.

9 (g-30) "Endangering the water supply" means to knowingly
10 contaminate a public or private water well or water reservoir
11 or any water supply of a public utility or tamper with the
12 production of bottled or packaged water or tamper with bottled
13 or packaged water at a retail or wholesale mercantile
14 establishment. "Endangering the water supply" does not include
15 contamination of a public or private well or water reservoir or
16 any water supply of a public utility that may occur
17 inadvertently as part of the operation of a public utility or
18 electrical generating station.

19 (h) "Livestock" means animals bred or raised for human
20 consumption.

21 (i) "Crops" means plants raised for: (1) human consumption,
22 (2) fruits that are intended for human consumption, (3)
23 consumption by livestock, and (4) fruits that are intended for
24 consumption by livestock.

25 (j) "Communications systems" means any works, property, or
26 material of any radio, telegraph, telephone, microwave, or
27 cable line, station, or system.

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

30 (l) "Terrorist act" or "act of terrorism" means: (1) any
31 act that is intended to cause or create a risk and does cause
32 or create a risk of death or great bodily harm to one or more
33 persons; (2) any act that disables or destroys the usefulness
34 or operation of any communications system; (3) any act or any
35 series of 2 or more acts committed in furtherance of a single
36 intention, scheme, or design that disables or destroys the

1 usefulness or operation of a computer network, computers,
2 computer programs, or data used by any industry, by any class
3 of business, or by 5 or more businesses or by the federal
4 government, State government, any unit of local government, a
5 public utility, a manufacturer of pharmaceuticals, a national
6 defense contractor, or a manufacturer of chemical or biological
7 products used in or in connection with agricultural production;
8 (4) any act that disables or causes substantial damage to or
9 destruction of any structure or facility used in or used in
10 connection with ground, air, or water transportation; the
11 production or distribution of electricity, gas, oil, or other
12 fuel (except for acts that occur inadvertently and as the
13 result of operation of the facility that produces or
14 distributes electricity, gas, oil, or other fuel); the
15 treatment of sewage or the treatment or distribution of water;
16 or controlling the flow of any body of water; (5) any act that
17 causes substantial damage to or destruction of livestock or to
18 crops or a series of 2 or more acts committed in furtherance of
19 a single intention, scheme, or design which, in the aggregate,
20 causes substantial damage to or destruction of livestock or
21 crops; (6) any act that causes substantial damage to or
22 destruction of any hospital or any building or facility used by
23 the federal government, State government, any unit of local
24 government or by a national defense contractor or by a public
25 utility, a manufacturer of pharmaceuticals, a manufacturer of
26 chemical or biological products used in or in connection with
27 agricultural production or the storage or processing of
28 agricultural products or the preparation of agricultural
29 products for food or food products intended for resale or for
30 feed for livestock; ~~or~~ (7) any act that causes substantial
31 damage to any building containing 5 or more businesses of any
32 type or to any building in which 10 or more people reside; (8)
33 endangering the food supply; or (9) endangering the water
34 supply.

35 (m) "Terrorist" and "terrorist organization" means any
36 person who engages or is about to engage in a terrorist act

1 with the intent to intimidate or coerce a significant portion
2 of a civilian population.

3 (n) "Material support or resources" means currency or other
4 financial securities, financial services, lodging, training,
5 safe houses, false documentation or identification,
6 communications equipment, facilities, weapons, lethal
7 substances, explosives, personnel, transportation, any other
8 kind of physical assets or intangible property, and expert
9 services or expert assistance.

10 (o) "Person" has the meaning given in Section 2-15 of this
11 Code and, in addition to that meaning, includes, without
12 limitation, any charitable organization, whether incorporated
13 or unincorporated, any professional fund raiser, professional
14 solicitor, limited liability company, association, joint stock
15 company, association, trust, trustee, or any group of people
16 formally or informally affiliated or associated for a common
17 purpose, and any officer, director, partner, member, or agent
18 of any person.

19 (p) "Render criminal assistance" means to do any of the
20 following with the intent to prevent, hinder, or delay the
21 discovery or apprehension of, or the lodging of a criminal
22 charge against, a person who he or she knows or believes has
23 committed an offense under this Article or is being sought by
24 law enforcement officials for the commission of an offense
25 under this Article, or with the intent to assist a person in
26 profiting or benefiting from the commission of an offense under
27 this Article:

28 (1) harbor or conceal the person;

29 (2) warn the person of impending discovery or
30 apprehension;

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

34 (4) prevent or obstruct, by means of force,
35 intimidation, or deception, anyone from performing an act
36 that might aid in the discovery or apprehension of the

1 person or in the lodging of a criminal charge against the
2 person;

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

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

9 (7) provide expert services or expert assistance to the
10 person. Providing expert services or expert assistance
11 shall not be construed to apply to: (1) a licensed attorney
12 who discusses with a client the legal consequences of a
13 proposed course of conduct or advises a client of legal or
14 constitutional rights and (2) a licensed medical doctor who
15 provides emergency medical treatment to a person whom he or
16 she believes has committed an offense under this Article
17 if, as soon as reasonably practicable either before or
18 after providing such treatment, he or she notifies a law
19 enforcement agency.

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.