



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5826

Introduced 08/25/06, by Rep. Tom Cross - Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-3.5 new

Amends the Criminal Code of 1961. Creates the offense of aggravated domestic assault when a person, in committing domestic assault, knowingly or intentionally uses a deadly weapon or certain other devices against a family or household member. Requires a peace officer to arrest the offender upon the establishment of probable cause. Makes the offense a Class 4 felony.

LRB094 21362 LCT 59713 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 adding
5 Section 12-3.5 as follows:

6 (720 ILCS 5/12-3.5 new)

7 Sec. 12-3.5. Aggravated domestic assault.

8 (a) A person commits aggravated domestic assault when, in
9 committing domestic assault, he or she knowingly or
10 intentionally uses a deadly weapon or any other device or
11 object that could cause substantial injury, or any device
12 manufactured and designed to be substantially similar in
13 appearance to a firearm, other than by discharging a firearm in
14 the direction of another person, against a family or household
15 member, as defined in subsection (3) of Section 112A-3 of the
16 Code of Criminal Procedure of 1963. A peace officer must arrest
17 the offender upon the establishment of probable cause.

18 (b) Sentence. Aggravated domestic assault is a Class 4
19 felony.