

SB1304



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1304

Introduced 2/10/2009, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

720 ILCS 5/7-1

from Ch. 38, par. 7-1

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the use of force in defense of a person.

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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 7-1 as follows:

6 (720 ILCS 5/7-1) (from Ch. 38, par. 7-1)

7 Sec. 7-1. Use of force in defense of person.

8 (a) A person is justified in the ~~the~~ use of force against
9 another when and to the extent that he reasonably believes that
10 such conduct is necessary to defend himself or another against
11 such other's imminent use of unlawful force. However, he is
12 justified in the use of force which is intended or likely to
13 cause death or great bodily harm only if he reasonably believes
14 that such force is necessary to prevent imminent death or great
15 bodily harm to himself or another, or the commission of a
16 forcible felony.

17 (b) In no case shall any act involving the use of force
18 justified under this Section give rise to any claim or
19 liability brought by or on behalf of any person acting within
20 the definition of "aggressor" set forth in Section 7-4 of this
21 Article, or the estate, spouse, or other family member of such
22 a person, against the person or estate of the person using such
23 justified force, unless the use of force involves willful or

1 wanton misconduct.

2 (Source: P.A. 93-832, eff. 7-28-04.)