

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 12-9 as follows:

6 (720 ILCS 5/12-9) (from Ch. 38, par. 12-9)

7 Sec. 12-9. Threatening public officials.

8 (a) A person commits threatening a public official when:

9 (1) that person knowingly delivers or conveys,  
10 directly or indirectly, to a public official by any means a  
11 communication:

12 (i) containing a threat that would place the public  
13 official or a member of his or her immediate family in  
14 reasonable apprehension of immediate or future bodily  
15 harm, sexual assault, confinement, or restraint; or

16 (ii) containing a threat that would place the  
17 public official or a member of his or her immediate  
18 family in reasonable apprehension that damage will  
19 occur to property in the custody, care, or control of  
20 the public official or his or her immediate family; and

21 (2) the threat was conveyed because of the performance  
22 or nonperformance of some public duty, because of hostility  
23 of the person making the threat toward the status or

1 position of the public official, or because of any other  
2 factor related to the official's public existence.

3 (a-5) For purposes of a threat to a sworn law enforcement  
4 officer, the threat must contain specific facts indicative of a  
5 unique threat to the person, family or property of the officer  
6 and not a generalized threat of harm.

7 (a-6) For purposes of a threat to a social worker,  
8 caseworker, or investigator, the threat must contain specific  
9 facts indicative of a unique threat to the person, family or  
10 property of the individual and not a generalized threat of  
11 harm.

12 (b) For purposes of this Section:

13 (1) "Public official" means a person who is elected to  
14 office in accordance with a statute or who is appointed to  
15 an office which is established, and the qualifications and  
16 duties of which are prescribed, by statute, to discharge a  
17 public duty for the State or any of its political  
18 subdivisions or in the case of an elective office any  
19 person who has filed the required documents for nomination  
20 or election to such office. "Public official" includes a  
21 duly appointed assistant State's Attorney, assistant  
22 Attorney General, or Appellate Prosecutor; ~~and~~ a sworn  
23 law enforcement or peace officer; a social worker,  
24 caseworker, or investigator employed by the Department of  
25 Healthcare and Family Services, the Department of Human  
26 Services, or the Department of Children and Family

1           Services.

2           (2) "Immediate family" means a public official's  
3           spouse or child or children.

4           (c) Threatening a public official is a Class 3 felony for a  
5           first offense and a Class 2 felony for a second or subsequent  
6           offense.

7           (Source: P.A. 95-466, eff. 6-1-08; 96-1551, eff. 7-1-11.)