



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1462

Introduced 2/6/2015, by Rep. Pamela Reaves-Harris

SYNOPSIS AS INTRODUCED:

New Act

Creates the Peace Officer Chokehold Prohibition Act. Provides that a peace officer may not apply a chokehold to effect the arrest of a person, unless faced with a situation in which the use of deadly force is justified under the Justifiable Use of Force; Exoneration Article of the Criminal Code of 2012. Provides that a peace officer who violates this provision is guilty of a Class A misdemeanor. Effective January 1, 2016.

LRB099 06687 RLC 26761 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the Peace
5 Officer Chokehold Prohibition Act.

6 Section 5. Definitions. In this Act:

7 "Chokehold" means a method by which a person holds another
8 person by putting his or her arm around the other person's neck
9 with sufficient pressure to make breathing difficult or
10 impossible and includes, but is not limited to, any pressure to
11 the throat or windpipe, which may prevent or hinder breathing
12 or reduce intake of air.

13 "Peace officer" has the meaning ascribed to it in Section
14 2-13 of the Criminal Code of 2012.

15 Section 10. Chokeholds prohibited; exception. A peace
16 officer may not apply a chokehold to effect the arrest of a
17 person, unless faced with a situation in which the use of
18 deadly force is justified under Article 7 of the Criminal Code
19 of 2012.

20 Section 15. Sentence. A violation of this Act is a Class A
21 misdemeanor.

1 Section 999. Effective date. This Act takes effect January
2 1, 2016.