

## 18.11

### **Definition Of Aggravated Discharge Of A Firearm—Discharge At A Person, Vehicle Or Building**

A person commits the offense of aggravated discharge of a firearm when he [(knowingly) (intentionally)] discharges a firearm

[1] at or into a building he [knows) (reasonably should know)] to be occupied and from a place or position outside that building.

[or]

[2] in the direction of [(another person) (a vehicle he [(knows) (reasonably should know)] to be occupied by a person)].

### **Committee Note**

*Instruction and Committee Note Approved December 2, 2014*

720 ILCS 5/24-1.2(a)(1) and (a)(2) (West 2013) as amended by P.A. 87-921, effective January 1, 1993 inserting “or intentionally” after “knowingly” at the end of the introductory language; and as amended by P.A. 91-12, effective January 1, 2000 inserting “or reasonably should know” in subdivisions (a)(1) and (a)(2) and adding “by a person” at the end of subdivision (2).

Give Instruction 18.12.

When applicable, give Instruction 18.35G, defining “firearm”.

When applicable, give Instruction 18.35O, defining “school”.

When applicable, give Instruction 18.35P, defining “school related activity”.

This Instruction and Instruction 18.12 reflect the Class 1 felony variations of aggravated discharge of a firearm. For the Class X variations, see Instructions 18.13 and 18.14.

Use applicable paragraphs and bracketed material.

The bracketed numbers are present solely for the guidance of court and counsel and should not be included in the instructions submitted to the jury.