

# HB5762



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB5762**

by Rep. Natalie Phelps Finnie

#### SYNOPSIS AS INTRODUCED:

720 ILCS 646/55

Amends the Methamphetamine Control and Community Protection Act. Provides for increased penalties for delivery of methamphetamine and aggravated delivery of methamphetamine if the violation occurs in a protected place, such as a school; public park; synagogue, church, or other place primarily used for religious worship; or buildings or structures used primarily for housing or providing space for activities for senior citizens.

LRB100 20616 SLF 36038 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 5. The Methamphetamine Control and Community  
5 Protection Act is amended by changing Section 55 as follows:

6 (720 ILCS 646/55)

7 Sec. 55. Methamphetamine delivery.

8 (a) Delivery or possession with intent to deliver  
9 methamphetamine or a substance containing methamphetamine.

10 (1) It is unlawful knowingly to engage in the delivery  
11 or possession with intent to deliver methamphetamine or a  
12 substance containing methamphetamine.

13 (2) A person who violates paragraph (1) of this  
14 subsection (a) is subject to the following penalties:

15 (A) A person who delivers or possesses with intent  
16 to deliver less than 5 grams of methamphetamine or a  
17 substance containing methamphetamine is guilty of a  
18 Class 2 felony.

19 (B) A person who delivers or possesses with intent  
20 to deliver 5 or more grams but less than 15 grams of  
21 methamphetamine or a substance containing  
22 methamphetamine is guilty of a Class 1 felony.

23 (C) A person who delivers or possesses with intent

1 to deliver 15 or more grams but less than 100 grams of  
2 methamphetamine or a substance containing  
3 methamphetamine is guilty of a Class X felony, subject  
4 to a term of imprisonment of not less than 6 years and  
5 not more than 30 years, and subject to a fine not to  
6 exceed \$100,000 or the street value of the  
7 methamphetamine, whichever is greater.

8 (D) A person who delivers or possesses with intent  
9 to deliver 100 or more grams but less than 400 grams of  
10 methamphetamine or a substance containing  
11 methamphetamine is guilty of a Class X felony, subject  
12 to a term of imprisonment of not less than 9 years and  
13 not more than 40 years, and subject to a fine not to  
14 exceed \$200,000 or the street value of the  
15 methamphetamine, whichever is greater.

16 (E) A person who delivers or possesses with intent  
17 to deliver 400 or more grams but less than 900 grams of  
18 methamphetamine or a substance containing  
19 methamphetamine is guilty of a Class X felony, subject  
20 to a term of imprisonment of not less than 12 years and  
21 not more than 50 years, and subject to a fine not to  
22 exceed \$300,000 or the street value of the  
23 methamphetamine, whichever is greater.

24 (F) A person who delivers or possesses with intent  
25 to deliver 900 or more grams of methamphetamine or a  
26 substance containing methamphetamine is guilty of a

1 Class X felony, subject to a term of imprisonment of  
2 not less than 15 years and not more than 60 years, and  
3 subject to a fine not to exceed \$400,000 or the street  
4 value of the methamphetamine, whichever is greater.

5 (a-5) A person who violates:

6 (1) subparagraph (A) of paragraph (2) of subsection (a)  
7 of this Section in any school, on or within 500 feet of the  
8 real property comprising any school, or in any conveyance  
9 owned, leased, or contracted by a school to transport  
10 students to or from school or a school related activity,  
11 and at the time of the violation persons under the age of  
12 18 are present, the offense is committed during school  
13 hours, or the offense is committed at times when persons  
14 under the age of 18 are reasonably expected to be present  
15 in the school, in the conveyance, or on the real property,  
16 such as when after-school activities are occurring, or in  
17 any public park or on or within 500 feet of the real  
18 property comprising any public park, on the real property  
19 comprising any church, synagogue, or other building,  
20 structure, or place used primarily for religious worship,  
21 or within 500 feet of the real property comprising any  
22 church, synagogue, or other building, structure, or place  
23 used primarily for religious worship, or on the real  
24 property comprising any of the following places: buildings  
25 or structures used primarily for housing or providing space  
26 for activities for senior citizens, nursing homes,

1 assisted-living centers, senior citizen housing complexes,  
2 or senior centers oriented toward daytime activities, or  
3 within 500 feet of the real property comprising any of the  
4 following places: buildings or structures used primarily  
5 for housing or providing space for activities for senior  
6 citizens, nursing homes, assisted-living centers, senior  
7 citizen housing complexes, or senior centers oriented  
8 toward daytime activities and at the time of the violation  
9 persons are present or reasonably expected to be present in  
10 the church, synagogue, or other building, structure, or  
11 place used primarily for religious worship during worship  
12 services, or in buildings or structures used primarily for  
13 housing or providing space for activities for senior  
14 citizens: nursing homes, assisted-living centers, senior  
15 citizen housing complexes, or senior centers oriented  
16 toward daytime activities during the hours those places,  
17 buildings, or structures are open for those activities, or  
18 on the real property is guilty of a Class 1 felony;

19 (2) subparagraph (B) of paragraph (2) of subsection (a)  
20 of this Section in any school, on or within 500 feet of the  
21 real property comprising any school, or in any conveyance  
22 owned, leased, or contracted by a school to transport  
23 students to or from school or a school related activity,  
24 and at the time of the violation persons under the age of  
25 18 are present, the offense is committed during school  
26 hours, or the offense is committed at times when persons

1       under the age of 18 are reasonably expected to be present  
2       in the school, in the conveyance, or on the real property,  
3       such as when after-school activities are occurring, or in  
4       any public park or on or within 500 feet of the real  
5       property comprising any public park, on the real property  
6       comprising any church, synaogue, or other building,  
7       structure, or place used primarily for religious worship,  
8       or within 500 feet of the real property comprising any  
9       church, synaogue, or other building, structure, or place  
10       used primarily for religious worship, or on the real  
11       property comprising any of the following places: buildings  
12       or structures used primarily for housing or providing space  
13       for activities for senior citizens, nursing homes,  
14       assisted-living centers, senior citizen housing complexes,  
15       or senior centers oriented toward daytime activities, or  
16       within 500 feet of the real property comprising any of the  
17       following places: buildings or structures used primarily  
18       for housing or providing space for activities for senior  
19       citizens, nursing homes, assisted-living centers, senior  
20       citizen housing complexes, or senior centers oriented  
21       toward daytime activities and at the time of the violation  
22       persons are present or reasonably expected to be present in  
23       the church, synaogue, or other building, structure, or  
24       place used primarily for religious worship during worship  
25       services, or in buildings or structures used primarily for  
26       housing or providing space for activities for senior

1 citizens: nursing homes, assisted-living centers, senior  
2 citizen housing complexes, or senior centers oriented  
3 toward daytime activities during the hours those places,  
4 buildings, or structures are open for those activities, or  
5 on the real property is guilty of a Class X felony;

6 (3) subparagraph (C) of paragraph (2) of subsection (a)  
7 of this Section in any school, on or within 500 feet of the  
8 real property comprising any school, or in any conveyance  
9 owned, leased, or contracted by a school to transport  
10 students to or from school or a school related activity,  
11 and at the time of the violation persons under the age of  
12 18 are present, the offense is committed during school  
13 hours, or the offense is committed at times when persons  
14 under the age of 18 are reasonably expected to be present  
15 in the school, in the conveyance, or on the real property,  
16 such as when after-school activities are occurring, or in  
17 any public park or on or within 500 feet of the real  
18 property comprising any public park, on the real property  
19 comprising any church, synagogue, or other building,  
20 structure, or place used primarily for religious worship,  
21 or within 500 feet of the real property comprising any  
22 church, synagogue, or other building, structure, or place  
23 used primarily for religious worship, or on the real  
24 property comprising any of the following places: buildings  
25 or structures used primarily for housing or providing space  
26 for activities for senior citizens, nursing homes,

1 assisted-living centers, senior citizen housing complexes,  
2 or senior centers oriented toward daytime activities, or  
3 within 500 feet of the real property comprising any of the  
4 following places: buildings or structures used primarily  
5 for housing or providing space for activities for senior  
6 citizens, nursing homes, assisted-living centers, senior  
7 citizen housing complexes, or senior centers oriented  
8 toward daytime activities and at the time of the violation  
9 persons are present or reasonably expected to be present in  
10 the church, synagogue, or other building, structure, or  
11 place used primarily for religious worship during worship  
12 services, or in buildings or structures used primarily for  
13 housing or providing space for activities for senior  
14 citizens: nursing homes, assisted-living centers, senior  
15 citizen housing complexes, or senior centers oriented  
16 toward daytime activities during the hours those places,  
17 buildings, or structures are open for those activities, or  
18 on the real property is guilty of a Class X felony for  
19 which the defendant shall be sentenced to a term of  
20 imprisonment of not less than 8 years and not more than 32  
21 years;

22 (4) subparagraph (D) of paragraph (2) of subsection (a)  
23 of this Section in any school, on or within 500 feet of the  
24 real property comprising any school, or in any conveyance  
25 owned, leased, or contracted by a school to transport  
26 students to or from school or a school related activity,



1 and at the time of the violation persons under the age of  
2 18 are present, the offense is committed during school  
3 hours, or the offense is committed at times when persons  
4 under the age of 18 are reasonably expected to be present  
5 in the school, in the conveyance, or on the real property,  
6 such as when after-school activities are occurring, or in  
7 any public park or on or within 500 feet of the real  
8 property comprising any public park, on the real property  
9 comprising any church, synagogue, or other building,  
10 structure, or place used primarily for religious worship,  
11 or within 500 feet of the real property comprising any  
12 church, synagogue, or other building, structure, or place  
13 used primarily for religious worship, or on the real  
14 property comprising any of the following places: buildings  
15 or structures used primarily for housing or providing space  
16 for activities for senior citizens, nursing homes,  
17 assisted-living centers, senior citizen housing complexes,  
18 or senior centers oriented toward daytime activities, or  
19 within 500 feet of the real property comprising any of the  
20 following places: buildings or structures used primarily  
21 for housing or providing space for activities for senior  
22 citizens, nursing homes, assisted-living centers, senior  
23 citizen housing complexes, or senior centers oriented  
24 toward daytime activities and at the time of the violation  
25 persons are present or reasonably expected to be present in  
26 the church, synagogue, or other building, structure, or

1 place used primarily for religious worship during worship  
2 services, or in buildings or structures used primarily for  
3 housing or providing space for activities for senior  
4 citizens: nursing homes, assisted-living centers, senior  
5 citizen housing complexes, or senior centers oriented  
6 toward daytime activities during the hours those places,  
7 buildings, or structures are open for those activities, or  
8 on the real property is guilty of a Class X felony, for  
9 which the defendant shall be sentenced to a term of  
10 imprisonment of not less than 11 years and not more than 42  
11 years;

12 (5) subparagraph (E) of paragraph (2) of subsection (a)  
13 of this Section in any school, on or within 500 feet of the  
14 real property comprising any school, or in any conveyance  
15 owned, leased, or contracted by a school to transport  
16 students to or from school or a school related activity,  
17 and at the time of the violation persons under the age of  
18 18 are present, the offense is committed during school  
19 hours, or the offense is committed at times when persons  
20 under the age of 18 are reasonably expected to be present  
21 in the school, in the conveyance, or on the real property,  
22 such as when after-school activities are occurring, or in  
23 any public park or on or within 500 feet of the real  
24 property comprising any public park, on the real property  
25 comprising any church, synagogue, or other building,  
26 structure, or place used primarily for religious worship,

1 or within 500 feet of the real property comprising any  
2 church, synagogue, or other building, structure, or place  
3 used primarily for religious worship, or on the real  
4 property comprising any of the following places: buildings  
5 or structures used primarily for housing or providing space  
6 for activities for senior citizens, nursing homes,  
7 assisted-living centers, senior citizen housing complexes,  
8 or senior centers oriented toward daytime activities, or  
9 within 500 feet of the real property comprising any of the  
10 following places: buildings or structures used primarily  
11 for housing or providing space for activities for senior  
12 citizens, nursing homes, assisted-living centers, senior  
13 citizen housing complexes, or senior centers oriented  
14 toward daytime activities and at the time of the violation  
15 persons are present or reasonably expected to be present in  
16 the church, synagogue, or other building, structure, or  
17 place used primarily for religious worship during worship  
18 services, or in buildings or structures used primarily for  
19 housing or providing space for activities for senior  
20 citizens: nursing homes, assisted-living centers, senior  
21 citizen housing complexes, or senior centers oriented  
22 toward daytime activities during the hours those places,  
23 buildings, or structures are open for those activities, or  
24 on the real property is guilty of a Class X felony, for  
25 which the defendant shall be sentenced to a term of  
26 imprisonment of not less than 14 years and not more than 52

1       years; and

2           (6) subparagraph (F) of paragraph (2) of subsection (a)  
3       of this Section in any school, on or within 500 feet of the  
4       real property comprising any school, or in any conveyance  
5       owned, leased, or contracted by a school to transport  
6       students to or from school or a school related activity,  
7       and at the time of the violation persons under the age of  
8       18 are present, the offense is committed during school  
9       hours, or the offense is committed at times when persons  
10       under the age of 18 are reasonably expected to be present  
11       in the school, in the conveyance, or on the real property,  
12       such as when after-school activities are occurring, or in  
13       any public park or on or within 500 feet of the real  
14       property comprising any public park, on the real property  
15       comprising any church, synagogue, or other building,  
16       structure, or place used primarily for religious worship,  
17       or within 500 feet of the real property comprising any  
18       church, synagogue, or other building, structure, or place  
19       used primarily for religious worship, or on the real  
20       property comprising any of the following places: buildings  
21       or structures used primarily for housing or providing space  
22       for activities for senior citizens, nursing homes,  
23       assisted-living centers, senior citizen housing complexes,  
24       or senior centers oriented toward daytime activities, or  
25       within 500 feet of the real property comprising any of the  
26       following places: buildings or structures used primarily

1 for housing or providing space for activities for senior  
2 citizens, nursing homes, assisted-living centers, senior  
3 citizen housing complexes, or senior centers oriented  
4 toward daytime activities and at the time of the violation  
5 persons are present or reasonably expected to be present in  
6 the church, synagogue, or other building, structure, or  
7 place used primarily for religious worship during worship  
8 services, or in buildings or structures used primarily for  
9 housing or providing space for activities for senior  
10 citizens: nursing homes, assisted-living centers, senior  
11 citizen housing complexes, or senior centers oriented  
12 toward daytime activities during the hours those places,  
13 buildings, or structures are open for those activities, or  
14 on the real property is guilty of a Class X felony, for  
15 which the defendant shall be sentenced to a term of  
16 imprisonment of not less than 17 years and not more than 62  
17 years.

18 (b) Aggravated delivery or possession with intent to  
19 deliver methamphetamine or a substance containing  
20 methamphetamine.

21 (1) It is unlawful to engage in the aggravated delivery  
22 or possession with intent to deliver methamphetamine or a  
23 substance containing methamphetamine. A person engages in  
24 the aggravated delivery or possession with intent to  
25 deliver methamphetamine or a substance containing  
26 methamphetamine when the person violates paragraph (1) of

1 subsection (a) of this Section and:

2 (A) the person is at least 18 years of age and  
3 knowingly delivers or possesses with intent to deliver  
4 the methamphetamine or substance containing  
5 methamphetamine to a person under 18 years of age;

6 (B) the person is at least 18 years of age and  
7 knowingly uses, engages, employs, or causes another  
8 person to use, engage, or employ a person under 18  
9 years of age to deliver the methamphetamine or  
10 substance containing methamphetamine;

11 (C) the person knowingly delivers or possesses  
12 with intent to deliver the methamphetamine or  
13 substance containing methamphetamine in any structure  
14 or vehicle protected by one or more firearms, explosive  
15 devices, booby traps, alarm systems, surveillance  
16 systems, guard dogs, or dangerous animals;

17 (D) the person knowingly delivers or possesses  
18 with intent to deliver the methamphetamine or  
19 substance containing methamphetamine in any school, on  
20 any real property comprising any school, or in any  
21 conveyance owned, leased, or contracted by a school to  
22 transport students to or from school or a  
23 school-related activity and at the time of the  
24 violation persons under the age of 18 are present, the  
25 offense is committed during school hours, or the  
26 offense is committed at times when persons under the

1 age of 18 are reasonably expected to be present in the  
2 school, in the conveyance, or on the real property,  
3 such as when after-school activities are occurring;

4 (E) the person delivers or causes another person to  
5 deliver the methamphetamine or substance containing  
6 methamphetamine to a woman that the person knows to be  
7 pregnant; or

8 (F) (blank).

9 (2) A person who violates paragraph (1) of this  
10 subsection (b) is subject to the following penalties:

11 (A) A person who delivers or possesses with intent  
12 to deliver less than 5 grams of methamphetamine or a  
13 substance containing methamphetamine is guilty of a  
14 Class 1 felony.

15 (B) A person who delivers or possesses with intent  
16 to deliver 5 or more grams but less than 15 grams of  
17 methamphetamine or a substance containing  
18 methamphetamine is guilty of a Class X felony, subject  
19 to a term of imprisonment of not less than 6 years and  
20 not more than 30 years, and subject to a fine not to  
21 exceed \$100,000 or the street value of the  
22 methamphetamine, whichever is greater.

23 (C) A person who delivers or possesses with intent  
24 to deliver 15 or more grams but less than 100 grams of  
25 methamphetamine or a substance containing  
26 methamphetamine is guilty of a Class X felony, subject

1 to a term of imprisonment of not less than 8 years and  
2 not more than 40 years, and subject to a fine not to  
3 exceed \$200,000 or the street value of the  
4 methamphetamine, whichever is greater.

5 (D) A person who delivers or possesses with intent  
6 to deliver 100 or more grams of methamphetamine or a  
7 substance containing methamphetamine is guilty of a  
8 Class X felony, subject to a term of imprisonment of  
9 not less than 10 years and not more than 50 years, and  
10 subject to a fine not to exceed \$300,000 or the street  
11 value of the methamphetamine, whichever is greater.

12 (c) A person who violates:

13 (1) subparagraph (A) of paragraph (2) of subsection (b)  
14 of this Section in any school, on or within 500 feet of the  
15 real property comprising any school, or in any conveyance  
16 owned, leased, or contracted by a school to transport  
17 students to or from school or a school related activity,  
18 and at the time of the violation persons under the age of  
19 18 are present, the offense is committed during school  
20 hours, or the offense is committed at times when persons  
21 under the age of 18 are reasonably expected to be present  
22 in the school, in the conveyance, or on the real property,  
23 such as when after-school activities are occurring, or in  
24 any public park or on or within 500 feet of the real  
25 property comprising any public park, on the real property  
26 comprising any church, synagogue, or other building,



1 structure, or place used primarily for religious worship,  
2 or within 500 feet of the real property comprising any  
3 church, synagogue, or other building, structure, or place  
4 used primarily for religious worship, or on the real  
5 property comprising any of the following places: buildings  
6 or structures used primarily for housing or providing space  
7 for activities for senior citizens, nursing homes,  
8 assisted-living centers, senior citizen housing complexes,  
9 or senior centers oriented toward daytime activities, or  
10 within 500 feet of the real property comprising any of the  
11 following places: buildings or structures used primarily  
12 for housing or providing space for activities for senior  
13 citizens, nursing homes, assisted-living centers, senior  
14 citizen housing complexes, or senior centers oriented  
15 toward daytime activities and at the time of the violation  
16 persons are present or reasonably expected to be present in  
17 the church, synagogue, or other building, structure, or  
18 place used primarily for religious worship during worship  
19 services, or in buildings or structures used primarily for  
20 housing or providing space for activities for senior  
21 citizens: nursing homes, assisted-living centers, senior  
22 citizen housing complexes, or senior centers oriented  
23 toward daytime activities during the hours those places,  
24 buildings, or structures are open for those activities, or  
25 on the real property is guilty of a Class X felony;

26 (2) subparagraph (B) of paragraph (2) of subsection (b)

1       of this Section in any school, on or within 500 feet of the  
2       real property comprising any school, or in any conveyance  
3       owned, leased, or contracted by a school to transport  
4       students to or from school or a school related activity,  
5       and at the time of the violation persons under the age of  
6       18 are present, the offense is committed during school  
7       hours, or the offense is committed at times when persons  
8       under the age of 18 are reasonably expected to be present  
9       in the school, in the conveyance, or on the real property,  
10       such as when after-school activities are occurring, or in  
11       any public park or on or within 500 feet of the real  
12       property comprising any public park, on the real property  
13       comprising any church, synagogue, or other building,  
14       structure, or place used primarily for religious worship,  
15       or within 500 feet of the real property comprising any  
16       church, synagogue, or other building, structure, or place  
17       used primarily for religious worship, or on the real  
18       property comprising any of the following places: buildings  
19       or structures used primarily for housing or providing space  
20       for activities for senior citizens, nursing homes,  
21       assisted-living centers, senior citizen housing complexes,  
22       or senior centers oriented toward daytime activities, or  
23       within 500 feet of the real property comprising any of the  
24       following places: buildings or structures used primarily  
25       for housing or providing space for activities for senior  
26       citizens, nursing homes, assisted-living centers, senior

1 citizen housing complexes, or senior centers oriented  
2 toward daytime activities and at the time of the violation  
3 persons are present or reasonably expected to be present in  
4 the church, synagogue, or other building, structure, or  
5 place used primarily for religious worship during worship  
6 services, or in buildings or structures used primarily for  
7 housing or providing space for activities for senior  
8 citizens: nursing homes, assisted-living centers, senior  
9 citizen housing complexes, or senior centers oriented  
10 toward daytime activities during the hours those places,  
11 buildings, or structures are open for those activities, or  
12 on the real property is guilty of a Class X felony, for  
13 which the defendant shall be sentenced to a term of  
14 imprisonment of not less than 8 years and not more than 32  
15 years;

16 (3) subparagraph (C) of paragraph (2) of subsection (b)  
17 of this Section in any school, on or within 500 feet of the  
18 real property comprising any school, or in any conveyance  
19 owned, leased, or contracted by a school to transport  
20 students to or from school or a school related activity,  
21 and at the time of the violation persons under the age of  
22 18 are present, the offense is committed during school  
23 hours, or the offense is committed at times when persons  
24 under the age of 18 are reasonably expected to be present  
25 in the school, in the conveyance, or on the real property,  
26 such as when after-school activities are occurring, or in

1 any public park or on or within 500 feet of the real  
2 property comprising any public park, on the real property  
3 comprising any church, synagogue, or other building,  
4 structure, or place used primarily for religious worship,  
5 or within 500 feet of the real property comprising any  
6 church, synagogue, or other building, structure, or place  
7 used primarily for religious worship, or on the real  
8 property comprising any of the following places: buildings  
9 or structures used primarily for housing or providing space  
10 for activities for senior citizens, nursing homes,  
11 assisted-living centers, senior citizen housing complexes,  
12 or senior centers oriented toward daytime activities, or  
13 within 500 feet of the real property comprising any of the  
14 following places: buildings or structures used primarily  
15 for housing or providing space for activities for senior  
16 citizens, nursing homes, assisted-living centers, senior  
17 citizen housing complexes, or senior centers oriented  
18 toward daytime activities and at the time of the violation  
19 persons are present or reasonably expected to be present in  
20 the church, synagogue, or other building, structure, or  
21 place used primarily for religious worship during worship  
22 services, or in buildings or structures used primarily for  
23 housing or providing space for activities for senior  
24 citizens: nursing homes, assisted-living centers, senior  
25 citizen housing complexes, or senior centers oriented  
26 toward daytime activities during the hours those places,

1 buildings, or structures are open for those activities, or  
2 on the real property is guilty of a Class X felony, for  
3 which the defendant shall be sentenced to a term of  
4 imprisonment of not less than 10 years and not more than 42  
5 years; and

6 (4) subparagraph (D) of paragraph (2) of subsection (b)  
7 of this Section in any school, on or within 500 feet of the  
8 real property comprising any school, or in any conveyance  
9 owned, leased, or contracted by a school to transport  
10 students to or from school or a school related activity,  
11 and at the time of the violation persons under the age of  
12 18 are present, the offense is committed during school  
13 hours, or the offense is committed at times when persons  
14 under the age of 18 are reasonably expected to be present  
15 in the school, in the conveyance, or on the real property,  
16 such as when after-school activities are occurring, or in  
17 any public park or on or within 500 feet of the real  
18 property comprising any public park, on the real property  
19 comprising any church, synagogue, or other building,  
20 structure, or place used primarily for religious worship,  
21 or within 500 feet of the real property comprising any  
22 church, synagogue, or other building, structure, or place  
23 used primarily for religious worship, or on the real  
24 property comprising any of the following places: buildings  
25 or structures used primarily for housing or providing space  
26 for activities for senior citizens, nursing homes,

1 assisted-living centers, senior citizen housing complexes,  
2 or senior centers oriented toward daytime activities, or  
3 within 500 feet of the real property comprising any of the  
4 following places: buildings or structures used primarily  
5 for housing or providing space for activities for senior  
6 citizens, nursing homes, assisted-living centers, senior  
7 citizen housing complexes, or senior centers oriented  
8 toward daytime activities and at the time of the violation  
9 persons are present or reasonably expected to be present in  
10 the church, synagogue, or other building, structure, or  
11 place used primarily for religious worship during worship  
12 services, or in buildings or structures used primarily for  
13 housing or providing space for activities for senior  
14 citizens: nursing homes, assisted-living centers, senior  
15 citizen housing complexes, or senior centers oriented  
16 toward daytime activities during the hours those places,  
17 buildings, or structures are open for those activities, or  
18 on the real property is guilty of a Class X felony, for  
19 which the defendant shall be sentenced to a term of  
20 imprisonment of not less than 12 years and not more than 52  
21 years.

22 (Source: P.A. 100-3, eff. 1-1-18.)