



Sen. Chapin Rose

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LRB100 08307 RLC 22168 a

1 AMENDMENT TO SENATE BILL 1328

2 AMENDMENT NO. _____. Amend Senate Bill 1328 on page 1,
3 line 5, by replacing "Section 5-9-1.1" with the following:

4 "Sections 5-9-1.1 and 5-9-1.5"; and

5 on page 6, by inserting immediately below line 26 the
6 following:

7 "(730 ILCS 5/5-9-1.1-5)

8 Sec. 5-9-1.1-5. Methamphetamine related offenses.

9 (a) When a person has been adjudged guilty of a
10 methamphetamine related offense involving possession or
11 delivery of methamphetamine or any salt of an optical isomer of
12 methamphetamine or possession of a methamphetamine
13 manufacturing material as set forth in Section 10 of the
14 Methamphetamine Control and Community Protection Act with the
15 intent to manufacture a substance containing methamphetamine
16 or salt of an optical isomer of methamphetamine, in addition to

1 any other penalty imposed, a fine shall be levied by the court
2 at not less than the full street value of the methamphetamine
3 or salt of an optical isomer of methamphetamine or
4 methamphetamine manufacturing materials seized.

5 "Street value" shall be determined by the court on the
6 basis of testimony of law enforcement personnel and the
7 defendant as to the amount seized and such testimony as may be
8 required by the court as to the current street value of the
9 methamphetamine or salt of an optical isomer of methamphetamine
10 or methamphetamine manufacturing materials seized.

11 (b) In addition to any penalty imposed under subsection (a)
12 of this Section, a fine of \$100 shall be levied by the court,
13 the proceeds of which shall be collected by the Circuit Clerk
14 and remitted to the State Treasurer under Section 27.6 of the
15 Clerks of Courts Act for deposit into the Methamphetamine Law
16 Enforcement Fund and allocated as provided in subsection (d) of
17 Section 5-9-1.2.

18 (c) In addition to any penalty imposed under subsection (a)
19 of this Section, a \$25 assessment shall be assessed by the
20 court, the proceeds of which shall be collected by the Circuit
21 Clerk and remitted to the State Treasurer for deposit into the
22 Criminal Justice Information Projects Fund. The moneys
23 deposited into the Criminal Justice Information Projects Fund
24 under this Section shall be appropriated to and administered by
25 the Illinois Criminal Justice Information Authority for
26 distribution to fund the Department of State Police ~~funding of~~

1 drug task forces and Metropolitan Enforcement Groups by
2 dividing the funds equally by the total number of Department of
3 State Police drug task forces and Metropolitan Enforcement
4 Groups.

5 (d) In addition to any penalty imposed under subsection (a)
6 of this Section, a \$40 assessment shall be assessed by the
7 court, the proceeds of which shall be collected by the Circuit
8 Clerk. Of the collected proceeds, (i) 90% shall be remitted to
9 the State Treasurer for deposit into the Prescription Pill and
10 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into
11 the Criminal Justice Information Projects Fund, for use by the
12 Illinois Criminal Justice Information Authority for the costs
13 associated with making grants from the Prescription Pill and
14 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%
15 for deposit into the Circuit Court Clerk Operation and
16 Administrative Fund for the costs associated with
17 administering this subsection.

18 (Source: P.A. 98-537, eff. 8-23-13; 99-480, eff. 9-9-15.)".