

# SB1598



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1598

Introduced 2/8/2023, by Sen. Jason Plummer

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/9-3.3

from Ch. 38, par. 9-3.3

Amends the Criminal Code of 2012. Provides that a person commits drug-induced homicide when he or she violates delivery of a controlled substance or methamphetamine or a similar law of another jurisdiction, by unlawfully delivering a controlled substance to another, and the injection, inhalation, absorption, or ingestion of any amount of that controlled substance is a contributing cause of the person's death.

LRB103 25235 RLC 51579 b

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 Criminal Code of 2012 is amended by  
5 changing Section 9-3.3 as follows:

6 (720 ILCS 5/9-3.3) (from Ch. 38, par. 9-3.3)

7 Sec. 9-3.3. Drug-induced homicide.

8 (a) A person commits drug-induced homicide when he or she  
9 violates Section 401 of the Illinois Controlled Substances Act  
10 or Section 55 of the Methamphetamine Control and Community  
11 Protection Act by unlawfully delivering a controlled substance  
12 to another, and any person's death is caused by the injection,  
13 inhalation, absorption, or ingestion of any amount of that  
14 controlled substance or the injection, inhalation, absorption,  
15 or ingestion of any amount of that controlled substance is a  
16 contributing cause of the person's death.

17 (a-5) A person commits drug-induced homicide when he or  
18 she violates the law of another jurisdiction, which if the  
19 violation had been committed in this State could be charged  
20 under Section 401 of the Illinois Controlled Substances Act or  
21 Section 55 of the Methamphetamine Control and Community  
22 Protection Act, by unlawfully delivering a controlled  
23 substance to another, and any person's death is caused in this

1 State by the injection, inhalation, absorption, or ingestion  
2 of any amount of that controlled substance or the injection,  
3 inhalation, absorption, or ingestion of any amount of that  
4 controlled substance is a contributing cause of the person's  
5 death.

6 (b) Sentence. Drug-induced homicide is a Class X felony,  
7 except:

8 (1) A person who commits drug-induced homicide by  
9 violating subsection (a) or subsection (c) of Section 401  
10 of the Illinois Controlled Substances Act or Section 55 of  
11 the Methamphetamine Control and Community Protection Act  
12 commits a Class X felony for which the defendant shall in  
13 addition to a sentence authorized by law, be sentenced to  
14 a term of imprisonment of not less than 15 years and not  
15 more than 30 years or an extended term of not less than 30  
16 years and not more than 60 years.

17 (2) A person who commits drug-induced homicide by  
18 violating the law of another jurisdiction, which if the  
19 violation had been committed in this State could be  
20 charged under subsection (a) or subsection (c) of Section  
21 401 of the Illinois Controlled Substances Act or Section  
22 55 of the Methamphetamine Control and Community Protection  
23 Act, commits a Class X felony for which the defendant  
24 shall, in addition to a sentence authorized by law, be  
25 sentenced to a term of imprisonment of not less than 15  
26 years and not more than 30 years or an extended term of not

1           less than 30 years and not more than 60 years.

2           (Source: P.A. 100-404, eff. 1-1-18.)