

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Controlled Substances Act is
5 amended by adding Section 407.3 as follows:

6 (720 ILCS 570/407.3 new)

7 Sec. 407.3. Use of a child to commit a controlled
8 substance offense.

9 (a) In this Section:

10 "Child" means a person less than 16 years of age.

11 "Uses a child to effectuate the felony delivery or felony
12 attempted delivery of the controlled substance" means conduct
13 by which the defendant: (1) conceals the controlled substance
14 on or about the body or person of the child for the purpose
15 of effectuating the criminal delivery or attempted delivery
16 of the controlled substance to a third person; or (2)
17 directs, forces or otherwise requires the child to deliver or
18 attempt to deliver or offer direct assistance to the
19 defendant in delivering or attempting to deliver the
20 controlled substance to a third person.

21 (b) A person commits the offense of use of a child to
22 commit a controlled substance offense when he or she is 18
23 years of age or over and commits a felony delivery or felony
24 attempted delivery of a controlled substance in violation of
25 this Act and, as part of that criminal transaction, knowingly
26 uses a child to effectuate the felony delivery or felony
27 attempted delivery of the controlled substance.

28 (c) Sentence. Use of a child to commit a controlled
29 substance offense is a Class 4 felony.

30 Section 99. Effective date. This Act takes effect upon

1 becoming law.