

1 AN ACT in relation to criminal offenses.

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 1961 is amended by adding  
5 Section 12-2.6 as follows:

6 (720 ILCS 5/12-2.6 new)

7 Sec. 12-2.6. Use of a dangerous place for the commission  
8 of a controlled substance or cannabis offense.

9 (a) A person commits the offense of use of a dangerous  
10 place for the commission of a controlled substance or  
11 cannabis offense when that person knowingly exercises control  
12 over any place with the intent to use that place to  
13 manufacture, produce, deliver, or possess with intent to  
14 deliver a controlled or counterfeit substance or controlled  
15 substance analog in violation of Section 401 of the Illinois  
16 Controlled Substances Act or to manufacture, produce,  
17 deliver, or possess with intent to deliver cannabis in  
18 violation of Section 5, 5.1, 5.2, 7, or 8 of the Cannabis  
19 Control Act and:

20 (1) the place, by virtue of the presence of the  
21 substance or substances used or intended to be used to  
22 manufacture a controlled or counterfeit substance,  
23 controlled substance analog, or cannabis, presents a  
24 substantial risk of injury to any person from fire,  
25 explosion, or exposure to toxic or noxious chemicals or  
26 gas; or

27 (2) the place used or intended to be used to  
28 manufacture, produce, deliver, or possess with intent to  
29 deliver a controlled or counterfeit substance, controlled  
30 substance analog, or cannabis has located within it or  
31 surrounding it devices, weapons, chemicals, or explosives

1 designed, hidden, or arranged in a manner that would  
2 cause a person to be exposed to a substantial risk of  
3 great bodily harm.

4 (b) It may be inferred that a place was intended to be  
5 used to manufacture a controlled or counterfeit substance or  
6 controlled substance analog if a substance containing a  
7 controlled or counterfeit substance or controlled substance  
8 analog or a substance containing a chemical important to the  
9 manufacture of a controlled or counterfeit substance or  
10 controlled substance analog is found at the place of the  
11 alleged illegal controlled substance manufacturing in close  
12 proximity to equipment or a chemical used for facilitating  
13 the manufacture of the controlled or counterfeit substance or  
14 controlled substance analog that is alleged to have been  
15 intended to be manufactured.

16 (c) As used in this Section, "place" means a premise,  
17 conveyance, or location that offers seclusion, shelter,  
18 means, or facilitation for manufacturing, producing,  
19 possessing, or possessing with intent to deliver a controlled  
20 or counterfeit substance, controlled substance analog, or  
21 cannabis.

22 (d) Use of a dangerous place for the commission of a  
23 controlled substance or cannabis offense is a Class 1 felony.