



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/09/04, by John J. Millner

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/9-3.3

from Ch. 38, par. 9-3.3

Amends the Criminal Code of 1961. Provides that a person who unlawfully delivers a controlled substance to another and any person's death is caused (rather than any person dies) as a result of the injection, inhalation, or ingestion of any amount of that controlled substance commits the offense of drug-induced homicide.

LRB093 18455 RLC 44167 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 1961 is amended by changing  
5 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 who violates Section 401 of the Illinois  
9 Controlled Substances Act by unlawfully delivering a  
10 controlled substance to another, and any person's death is  
11 caused ~~person dies~~ as a result of the injection, inhalation or  
12 ingestion of any amount of that controlled substance, commits  
13 the offense of drug-induced homicide.

14 (b) Sentence. Drug-induced homicide is a Class X felony.

15 (c) A person who commits drug-induced homicide by violating  
16 subsection (a) or subsection (c) of Section 401 of the Illinois  
17 Controlled Substances Act commits a Class X felony for which  
18 the defendant shall in addition to a sentence authorized by  
19 law, be sentenced to a term of imprisonment of not less than 15  
20 years and not more than 30 years or an extended term of not  
21 less than 30 years and not more than 60 years.

22 (Source: P.A. 91-357, eff. 7-29-99; 92-256, eff. 1-1-02.)