



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1109

Introduced 02/08/05, by Rep. 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.

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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.)