



## Adopted in House Comm. on Mar 11, 2010

09600HB6234ham001

LRB096 18708 RLC 38541 a

1 AMENDMENT TO HOUSE BILL 6234

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6234 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Drug Paraphernalia Control Act is amended  
5 by changing Section 2 as follows:

6 (720 ILCS 600/2) (from Ch. 56 1/2, par. 2102)

7 Sec. 2. As used in this Act, unless the context otherwise  
8 requires:

9 (a) The term "cannabis" shall have the meaning ascribed to  
10 it in Section 3 of the Cannabis Control Act, as if that  
11 definition were incorporated herein.

12 (b) The term "controlled substance" shall have the meaning  
13 ascribed to it in Section 102 of the Illinois Controlled  
14 Substances Act, as if that definition were incorporated herein.

15 (c) "Deliver" or "delivery" means the actual, constructive  
16 or attempted transfer of possession, with or without

1 consideration, whether or not there is an agency relationship.

2 (d) "Drug paraphernalia" means all equipment, products and  
3 materials of any kind, other than methamphetamine  
4 manufacturing materials as defined in Section 10 of the  
5 Methamphetamine Control and Community Protection Act, which  
6 are intended to be used unlawfully in planting, propagating,  
7 cultivating, growing, harvesting, manufacturing, compounding,  
8 converting, producing, processing, preparing, testing,  
9 analyzing, packaging, repackaging, storing, containing,  
10 concealing, injecting, ingesting, inhaling or otherwise  
11 introducing into the human body cannabis or a controlled  
12 substance in violation of the Cannabis Control Act, the  
13 Illinois Controlled Substances Act, or the Methamphetamine  
14 Control and Community Protection Act. It includes, but is not  
15 limited to:

16 (1) kits intended to be used unlawfully in  
17 manufacturing, compounding, converting, producing,  
18 processing or preparing cannabis or a controlled  
19 substance;

20 (2) isomerization devices intended to be used  
21 unlawfully in increasing the potency of any species of  
22 plant which is cannabis or a controlled substance;

23 (3) testing equipment intended to be used unlawfully in  
24 a private home for identifying or in analyzing the  
25 strength, effectiveness or purity of cannabis or  
26 controlled substances;

1           (4) diluents and adulterants intended to be used  
2 unlawfully for cutting cannabis or a controlled substance  
3 by private persons;

4           (5) objects intended to be used unlawfully in  
5 ingesting, inhaling, or otherwise introducing cannabis,  
6 cocaine, hashish, or hashish oil into the human body  
7 including, where applicable, the following items:

8                   (A) water pipes;

9                   (B) carburetion tubes and devices;

10                   (B-1) individual tobacco wrappers, known as wraps,  
11                   blunt wraps, or roll your own cigar wraps, whether in  
12                   the form of a sheet or tube, that consists in whole or  
13                   in part of reconstituted tobacco leaf or flavored  
14                   tobacco leaf; however, the term "wrap", "blunt wrap",  
15                   or "roll your own cigar wrap", as used in this Section,  
16                   does not include a tobacco leaf wrap that is used in  
17                   the manufacturing of a cigar intended for retail sale;

18                   (C) smoking and carburetion masks;

19                   (D) miniature cocaine spoons and cocaine vials;

20                   (E) carburetor pipes;

21                   (F) electric pipes;

22                   (G) air-driven pipes;

23                   (H) chillums;

24                   (I) bongos;

25                   (J) ice pipes or chillers;

26           (6) any item whose purpose, as announced or described

1           by the seller, is for use in violation of this Act.

2           (Source: P.A. 93-526, eff. 8-12-03; 94-556, eff. 9-11-05.)

3           Section 99. Effective date. This Act takes effect upon  
4           becoming law.".