

SB0156



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0156

Introduced 1/30/2009, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

730 ILCS 5/5-9-1.1-5

Amends the Unified Code of Corrections relating to methamphetamine related fines. Changes a cross reference from the Illinois Controlled Substances Act to the Methamphetamine Control and Community Protection Act and changes cross references from "methamphetamine manufacturing chemical" to "methamphetamine manufacturing material". Effective immediately.

LRB096 06044 RLC 16126 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Unified Code of Corrections is amended by
5 changing Section 5-9-1.1-5 as follows:

6 (730 ILCS 5/5-9-1.1-5)

7 Sec. 5-9-1.1-5. Methamphetamine related offenses.

8 (a) When a person has been adjudged guilty of a
9 methamphetamine related offense involving possession or
10 delivery of methamphetamine or any salt of an optical isomer of
11 methamphetamine or possession of a methamphetamine
12 manufacturing material as ~~chemical~~ set forth in Section 10 of
13 the Methamphetamine Control and Community Protection Act
14 paragraph (z 1) of Section 102 of the Illinois Controlled
15 Substances Act with the intent to manufacture a substance
16 containing methamphetamine or salt of an optical isomer of
17 methamphetamine, in addition to any other penalty imposed, a
18 fine shall be levied by the court at not less than the full
19 street value of the methamphetamine or salt of an optical
20 isomer of methamphetamine or methamphetamine manufacturing
21 materials ~~chemicals~~ seized.

22 "Street value" shall be determined by the court on the
23 basis of testimony of law enforcement personnel and the

1 defendant as to the amount seized and such testimony as may be
2 required by the court as to the current street value of the
3 methamphetamine or salt of an optical isomer of methamphetamine
4 or methamphetamine manufacturing materials ~~chemicals~~ seized.

5 (b) In addition to any penalty imposed under subsection (a)
6 of this Section, a fine of \$100 shall be levied by the court,
7 the proceeds of which shall be collected by the Circuit Clerk
8 and remitted to the State Treasurer under Section 27.6 of the
9 Clerks of Courts Act for deposit into the Methamphetamine Law
10 Enforcement Fund and allocated as provided in subsection (d) of
11 Section 5-9-1.2.

12 (Source: P.A. 94-550, eff. 1-1-06.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.