

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 Methamphetamine Precursor Control Act is
5 amended by changing Section 40 as follows:

6 (720 ILCS 648/40)

7 Sec. 40. Penalties.

8 (a) Violations of subsection (b) of Section 20 of this Act.

9 (1) Any person who knowingly purchases, receives, or
10 otherwise acquires, within any 30-day period, products
11 containing more than a total of 7,500 milligrams of
12 ephedrine or pseudoephedrine, their salts or optical
13 isomers, or salts of optical isomers in violation of
14 subsection (b) of Section 20 of this Act is subject to the
15 following penalties:

16 (A) More than 7,500 milligrams but less than 15,000
17 milligrams, Class A ~~B~~ misdemeanor;

18 (B) 15,000 or more but less than 22,500 milligrams,
19 Class 4 felony ~~A misdemeanor~~;

20 (C) 22,500 or more but less than 30,000 milligrams,
21 Class 3 ~~4~~ felony;

22 (D) 30,000 or more but less than 37,500 milligrams,
23 Class 2 ~~3~~ felony;

1 (E) 37,500 or more ~~but less than 45,000~~ milligrams,
2 Class 1 ~~2~~ felony; ÷

3 (F) (Blank) ~~45,000 or more milligrams, Class 1~~
4 ~~felony.~~

5 (2) Any person who knowingly purchases, receives, or
6 otherwise acquires, within any 30-day period, products
7 containing more than a total of 7,500 milligrams of
8 ephedrine or pseudoephedrine, their salts or optical
9 isomers, or salts of optical isomers in violation of
10 subsection (b) of Section 20 of this Act, and who has
11 previously been convicted of any methamphetamine-related
12 offense under any State or federal law, is subject to the
13 following penalties:

14 (A) More than 7,500 milligrams but less than 15,000
15 milligrams, Class 4 ~~felony~~ ~~A misdemeanor~~;

16 (B) 15,000 or more but less than 22,500 milligrams,
17 Class 3 ~~4~~ felony;

18 (C) 22,500 or more but less than 30,000 milligrams,
19 Class 2 ~~3~~ felony;

20 (D) 30,000 or more ~~but less than 37,500~~ milligrams,
21 Class 1 ~~2~~ felony;

22 (E) (Blank) ~~37,500 or more milligrams, Class 1~~
23 ~~felony.~~

24 (3) Any person who knowingly purchases, receives, or
25 otherwise acquires, within any 30-day period, products
26 containing more than a total of 7,500 milligrams of

1 ephedrine or pseudoephedrine, their salts or optical
2 isomers, or salts of optical isomers in violation of
3 subsection (b) of Section 20 of this Act, and who has
4 previously been convicted 2 or more times of any
5 methamphetamine-related offense under State or federal
6 law, is subject to the following penalties:

7 (A) More than 7,500 milligrams but less than 15,000
8 milligrams, Class 3 ~~4~~ felony;

9 (B) 15,000 or more but less than 22,500 milligrams,
10 Class 2 ~~3~~ felony;

11 (C) 22,500 or more ~~but less than 30,000~~ milligrams,
12 Class 1 ~~2~~ felony;

13 (D) (Blank) ~~30,000 or more milligrams, Class 1~~
14 ~~felony.~~

15 (b) Violations of Section 15, 20, 25, 30, or 35 of this
16 Act, other than violations of subsection (b) of Section 20 of
17 this Act.

18 (1) Any pharmacy or retail distributor that violates
19 Section 15, 20, 25, 30, or 35 of this Act, other than
20 subsection (b) of Section 20 of this Act, is guilty of a
21 petty offense and subject to a fine of \$500 for a first
22 offense; and \$1,000 for a second offense occurring at the
23 same retail location as and within 3 years of the prior
24 offense. A pharmacy or retail distributor that violates
25 this Act is guilty of a business offense and subject to a
26 fine of \$5,000 for a third or subsequent offense occurring

1 at the same retail location as and within 3 years of the
2 prior offenses.

3 (2) An employee or agent of a pharmacy or retail
4 distributor who violates Section 15, 20, 25, 30, or 35 of
5 this Act, other than subsection (b) of Section 20 of this
6 Act, is guilty of a Class A misdemeanor for a first
7 offense, a Class 4 felony for a second offense, and a Class
8 1 felony for a third or subsequent offense.

9 (3) Any other person who violates Section 15, 20, 25,
10 30, or 35 of this Act, other than subsection (b) of Section
11 20 of this Act, is guilty of a Class B misdemeanor for a
12 first offense, a Class A misdemeanor for a second offense,
13 and a Class 4 felony for a third or subsequent offense.

14 (c) Any pharmacy or retail distributor that violates
15 Section 36, 37, 38, 39, 39.5, 39.6, 39.7, 39.8, or 39.8-5 of
16 this Act is guilty of a petty offense and subject to a fine of
17 \$100 for a first offense, \$250 for a second offense, or \$500
18 for a third or subsequent offense.

19 (d) Any person that violates Section 39.5 or 39.8-5 of this
20 Act is guilty of a Class B misdemeanor for a first offense, a
21 Class A misdemeanor for a second offense, and a Class 4 felony
22 for a third offense.

23 (e) Any person who, in order to acquire a targeted
24 methamphetamine precursor, knowingly uses or provides the
25 driver's license or government-issued identification of
26 another person, or who knowingly uses or provides a fictitious

1 or unlawfully altered driver's license or government-issued
2 identification, or who otherwise knowingly provides false
3 information, is guilty of a Class 4 felony for a first offense,
4 a Class 3 felony for a second offense, and a Class 2 felony for
5 a third or subsequent offense.

6 For purposes of this subsection (e), the terms "fictitious
7 driver's license", "unlawfully altered driver's license", and
8 "false information" have the meanings ascribed to them in
9 Section 6-301.1 of the Illinois Vehicle Code.

10 (Source: P.A. 95-252, eff. 1-1-08; 95-640, eff. 6-1-08; 95-876,
11 eff. 8-21-08; 96-50, eff. 10-21-09.)

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