

HB0021



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0021

Introduced 1/12/2011, by Rep. Jim Sacia

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 also commits the offense of drug induced homicide by causing another person's death through absorption of an unlawfully delivered controlled substance. Effective immediately.

LRB097 03020 RLC 43051 b

CORRECTIONAL
BUDGET AND
IMPACT 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 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 or Section 55 of the Methamphetamine
10 Control and Community Protection Act by unlawfully delivering a
11 controlled substance to another, and any person's death is
12 caused by the injection, inhalation, absorption, or ingestion
13 of any amount of that controlled substance, commits the offense
14 of drug-induced homicide.

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

16 (c) A person who commits drug-induced homicide by violating
17 subsection (a) or subsection (c) of Section 401 of the Illinois
18 Controlled Substances Act or Section 55 of the Methamphetamine
19 Control and Community Protection Act commits a Class X felony
20 for which the defendant shall in addition to a sentence
21 authorized by law, be sentenced to a term of imprisonment of
22 not less than 15 years and not more than 30 years or an
23 extended term of not less than 30 years and not more than 60

1 years.

2 (Source: P.A. 94-556, eff. 9-11-05; 94-560, eff. 1-1-06;
3 95-331, eff. 8-21-07.)

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