



Sen. William R. Haine

Filed: 5/17/2012

09700HB3499sam001

LRB097 05968 MRW 69676 a

1 AMENDMENT TO HOUSE BILL 3499

2 AMENDMENT NO. _____. Amend House Bill 3499 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by
5 changing 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 commits drug-induced homicide when he or she
9 ~~who~~ violates Section 401 of the Illinois Controlled Substances
10 Act or Section 55 of the Methamphetamine Control and Community
11 Protection Act by unlawfully delivering a controlled substance
12 to another, and any person's death is caused by the injection,
13 inhalation, absorption, or ingestion of any amount of that
14 controlled substance, ~~commits the offense of drug induced~~
15 ~~homicide.~~

16 (a-5) A person commits drug-induced homicide when he or she

1 violates the law of another jurisdiction, which if the
2 violation had been committed in this State could be charged
3 under Section 401 of the Illinois Controlled Substances Act or
4 Section 55 of the Methamphetamine Control and Community
5 Protection Act, by unlawfully delivering a controlled
6 substance to another, and any person's death is caused in this
7 State by the injection, inhalation, absorption, or ingestion of
8 any amount of that controlled substance.

9 (b) Sentence. Drug-induced homicide is a Class X felony,
10 except:-

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

20 (2) A person who commits drug-induced homicide by
21 violating the law of another jurisdiction, which if the
22 violation had been committed in this State could be charged
23 under subsection (a) or subsection (c) of Section 401 of
24 the Illinois Controlled Substances Act or Section 55 of the
25 Methamphetamine Control and Community Protection Act,
26 commits a Class X felony for which the defendant shall in

1 addition to a sentence authorized by law, be sentenced to a
2 term of imprisonment of not less than 15 years and not more
3 than 30 years or an extended term of not less than 30 years
4 and not more than 60 years.

5 (Source: P.A. 97-191, eff. 7-22-11.)".