



Rep. Daniel V. Beiser

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09800HB4093ham002

LRB098 15651 RLC 57537 a

1 AMENDMENT TO HOUSE BILL 4093

2 AMENDMENT NO. _____. Amend House Bill 4093 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Methamphetamine Control and Community
5 Protection Act is amended by changing Section 15 as follows:

6 (720 ILCS 646/15)

7 Sec. 15. Participation in methamphetamine manufacturing.

8 (a) Participation in methamphetamine manufacturing.

9 (1) It is unlawful to knowingly participate in the
10 manufacture of methamphetamine with the intent that
11 methamphetamine or a substance containing methamphetamine
12 be produced.

13 (2) A person who violates paragraph (1) of this
14 subsection (a) is subject to the following penalties:

15 (A) A person who participates in the manufacture of
16 less than 15 grams of methamphetamine or a substance

1 containing methamphetamine is guilty of a Class 1
2 felony.

3 (B) A person who participates in the manufacture of
4 15 or more grams but less than 100 grams of
5 methamphetamine or a substance containing
6 methamphetamine is guilty of a Class X felony, subject
7 to a term of imprisonment of not less than 6 years and
8 not more than 30 years, and subject to a fine not to
9 exceed \$100,000 or the street value of the
10 methamphetamine manufactured, whichever is greater.

11 (C) A person who participates in the manufacture of
12 100 or more grams but less than 400 grams of
13 methamphetamine or a substance containing
14 methamphetamine is guilty of a Class X felony, subject
15 to a term of imprisonment of not less than 9 years and
16 not more than 40 years, and subject to a fine not to
17 exceed \$200,000 or the street value of the
18 methamphetamine manufactured, whichever is greater.

19 (D) A person who participates in the manufacture of
20 400 or more grams but less than 900 grams of
21 methamphetamine or a substance containing
22 methamphetamine is guilty of a Class X felony, subject
23 to a term of imprisonment of not less than 12 years and
24 not more than 50 years, and subject to a fine not to
25 exceed \$300,000 or the street value of the
26 methamphetamine manufactured, whichever is greater.

1 (E) A person who participates in the manufacture of
2 900 grams or more of methamphetamine or a substance
3 containing methamphetamine is guilty of a Class X
4 felony, subject to a term of imprisonment of not less
5 than 15 years and not more than 60 years, and subject
6 to a fine not to exceed \$400,000 or the street value of
7 the methamphetamine, whichever is greater.

8 (b) Aggravated participation in methamphetamine
9 manufacturing.

10 (1) It is unlawful to engage in aggravated
11 participation in the manufacture of methamphetamine. A
12 person engages in aggravated participation in the
13 manufacture of methamphetamine when the person violates
14 paragraph (1) of subsection (a) and:

15 (A) the person knowingly does so in a multi-unit
16 dwelling;

17 (B) the person knowingly does so in a structure or
18 vehicle where a child under the age of 18, a person
19 with a disability, or a person 60 years of age or older
20 who is incapable of adequately providing for his or her
21 own health and personal care resides, is present, or is
22 endangered by the manufacture of methamphetamine;

23 (C) the person does so in a structure or vehicle
24 where a woman the person knows to be pregnant
25 (including but not limited to the person herself)
26 resides, is present, or is endangered by the

1 methamphetamine manufacture;

2 (D) the person knowingly does so in a structure or
3 vehicle protected by one or more firearms, explosive
4 devices, booby traps, alarm systems, surveillance
5 systems, guard dogs, or dangerous animals;

6 (E) the methamphetamine manufacturing in which the
7 person participates is a contributing cause of the
8 death, serious bodily injury, disability, or
9 disfigurement of another person, including but not
10 limited to an emergency service provider;

11 (F) the methamphetamine manufacturing in which the
12 person participates is a contributing cause of a fire
13 or explosion that damages property belonging to
14 another person;

15 (G) the person knowingly organizes, directs, or
16 finances the methamphetamine manufacturing or
17 activities carried out in support of the
18 methamphetamine manufacturing; or

19 (H) the methamphetamine manufacturing occurs
20 within 1,000 feet of a place of worship or parsonage,
21 or within 1,000 feet of the real property comprising
22 any school.

23 (2) A person who violates paragraph (1) of this
24 subsection (b) is subject to the following penalties:

25 (A) A person who participates in the manufacture of
26 less than 15 grams of methamphetamine or a substance

1 containing methamphetamine is guilty of a Class X
2 felony, subject to a term of imprisonment of not less
3 than 6 years and not more than 30 years, and subject to
4 a fine not to exceed \$100,000 or the street value of
5 the methamphetamine, whichever is greater.

6 (B) A person who participates in the manufacture of
7 15 or more grams but less than 100 grams of
8 methamphetamine or a substance containing
9 methamphetamine is guilty of a Class X felony, subject
10 to a term of imprisonment of not less than 9 years and
11 not more than 40 years, and subject to a fine not to
12 exceed \$200,000 or the street value of the
13 methamphetamine, whichever is greater.

14 (C) A person who participates in the manufacture of
15 100 or more grams but less than 400 grams of
16 methamphetamine or a substance containing
17 methamphetamine is guilty of a Class X felony, subject
18 to a term of imprisonment of not less than 12 years and
19 not more than 50 years, and subject to a fine not to
20 exceed \$300,000 or the street value of the
21 methamphetamine, whichever is greater.

22 (D) A person who participates in the manufacture of
23 400 grams or more of methamphetamine or a substance
24 containing methamphetamine is guilty of a Class X
25 felony, subject to a term of imprisonment of not less
26 than 15 years and not more than 60 years, and subject

1 to a fine not to exceed \$400,000 or the street value of
2 the methamphetamine, whichever is greater.
3 (Source: P.A. 94-556, eff. 9-11-05; 94-830, eff. 6-5-06;
4 95-571, eff. 6-1-08.)".