



Rep. Daniel V. Beiser

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09800HB4093ham003

LRB098 15651 RLC 57712 a

1 AMENDMENT TO HOUSE BILL 4093

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4093, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

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

7 (720 ILCS 646/15)

8 Sec. 15. Participation in methamphetamine manufacturing.

9 (a) Participation in methamphetamine manufacturing.

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

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

16 (A) A person who participates in the manufacture of

1 less than 15 grams of methamphetamine or a substance  
2 containing methamphetamine is guilty of a Class 1  
3 felony.

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

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

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

1           methamphetamine manufactured, whichever is greater.

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

9           (b) Aggravated participation in methamphetamine  
10          manufacturing.

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

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

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

24                (C) the person does so in a structure or vehicle  
25                where a woman the person knows to be pregnant  
26                (including but not limited to the person herself)

1           resides, is present, or is endangered by the  
2           methamphetamine manufacture;

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

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

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

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

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

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

26                 (A) A person who participates in the manufacture of

1 less than 15 grams of methamphetamine or a substance  
2 containing methamphetamine is guilty of a Class X  
3 felony, subject to a term of imprisonment of not less  
4 than 6 years and not more than 30 years, and subject to  
5 a fine not to exceed \$100,000 or the street value of  
6 the methamphetamine, whichever is greater.

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

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

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

1           than 15 years and not more than 60 years, and subject  
2           to a fine not to exceed \$400,000 or the street value of  
3           the methamphetamine, whichever is greater.

4       (Source: P.A. 94-556, eff. 9-11-05; 94-830, eff. 6-5-06;  
5       95-571, eff. 6-1-08.)".