

1 AN ACT in relation to controlled substances.

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  
5 changing Sections 9-3.3 and 12-4.7 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 ~~subsection (a) or subsection~~  
9 ~~(e) of~~ Section 401 of the Illinois Controlled Substances Act  
10 by unlawfully delivering a controlled substance to another,  
11 and any person dies as a result of the injection, inhalation  
12 or ingestion of any amount of that controlled substance,  
13 commits the offense of drug-induced homicide.

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

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

24 (Source: P.A. 91-357, eff. 7-29-99.)

25 (720 ILCS 5/12-4.7) (from Ch. 38, par. 12-4.7)

26 Sec. 12-4.7. Drug induced infliction of great bodily  
27 harm.

28 (a) Any person who violates ~~subsection (a) or subsection~~  
29 ~~(e) of~~ Section 401 of the Illinois Controlled Substances Act  
30 by unlawfully delivering a controlled substance to another

1 commits the offense of drug induced infliction of great  
2 bodily harm if any person experiences great bodily harm or  
3 permanent disability as a result of the injection, inhalation  
4 or ingestion of any amount of that controlled substance.

5 (b) Drug induced infliction of great bodily harm is a  
6 Class 1 felony.

7 (Source: P.A. 86-1459; 87-435; 87-1198.)

8 Section 10. The Illinois Controlled Substances Act is  
9 amended by changing Sections 401 and 402 as follows:

10 (720 ILCS 570/401) (from Ch. 56 1/2, par. 1401)

11 Sec. 401. Except as authorized by this Act, it is  
12 unlawful for any person knowingly to: (i) manufacture or  
13 deliver, or possess with intent to manufacture or deliver, a  
14 controlled or counterfeit substance or controlled substance  
15 analog or (ii) possess any methamphetamine manufacturing  
16 chemical listed in paragraph (z-1) of Section 102 with the  
17 intent to manufacture methamphetamine or the salt of an  
18 optical isomer of methamphetamine or an analog thereof. A  
19 violation of this Act with respect to each of the controlled  
20 substances listed herein constitutes a single and separate  
21 violation of this Act. For purposes of this Section,  
22 "controlled substance analog" or "analog" means a substance  
23 which is intended for human consumption, other than a  
24 controlled substance, that has a chemical structure  
25 substantially similar to that of a controlled substance in  
26 Schedule I or II, or that was specifically designed to  
27 produce an effect substantially similar to that of a  
28 controlled substance in Schedule I or II. Examples of  
29 chemical classes in which controlled substance analogs are  
30 found include, but are not limited to, the following:  
31 phenethylamines, N-substituted piperidines, morphinans,  
32 ecgonines, quinazolinones, substituted indoles, and

1 arylcycloalkylamines. For purposes of this Act, a controlled  
2 substance analog shall be treated in the same manner as the  
3 controlled substance to which it is substantially similar.

4 (a) Any person who violates this Section with respect to  
5 the following amounts of controlled or counterfeit substances  
6 or controlled substance analogs, notwithstanding any of the  
7 provisions of subsections (c), (c-5), (d), (d-5), (e), (f),  
8 (g) or (h) to the contrary, is guilty of a Class X felony and  
9 shall be sentenced to a term of imprisonment as provided in  
10 this subsection (a) and fined as provided in subsection (b):

11 (1) (A) not less than 6 years and not more than 30  
12 years with respect to 15 grams or more but less than  
13 100 grams of a substance containing heroin, or an  
14 analog thereof;

15 (B) not less than 9 years and not more than 40  
16 years with respect to 100 grams or more but less  
17 than 400 grams of a substance containing heroin, or  
18 an analog thereof;

19 (C) not less than 12 years and not more than  
20 50 years with respect to 400 grams or more but less  
21 than 900 grams of a substance containing heroin, or  
22 an analog thereof;

23 (D) not less than 15 years and not more than  
24 60 years with respect to 900 grams or more of any  
25 substance containing heroin, or an analog thereof;

26 (2) (A) not less than 6 years and not more than 30  
27 years with respect to 15 grams or more but less than  
28 100 grams of a substance containing cocaine, or an  
29 analog thereof;

30 (B) not less than 9 years and not more than 40  
31 years with respect to 100 grams or more but less  
32 than 400 grams of a substance containing cocaine, or  
33 an analog thereof;

34 (C) not less than 12 years and not more than

1 50 years with respect to 400 grams or more but less  
2 than 900 grams of a substance containing cocaine, or  
3 an analog thereof;

4 (D) not less than 15 years and not more than  
5 60 years with respect to 900 grams or more of any  
6 substance containing cocaine, or an analog thereof;

7 (3) (A) not less than 6 years and not more than 30  
8 years with respect to 15 grams or more but less than  
9 100 grams of a substance containing morphine, or an  
10 analog thereof;

11 (B) not less than 9 years and not more than 40  
12 years with respect to 100 grams or more but less  
13 than 400 grams of a substance containing morphine,  
14 or an analog thereof;

15 (C) not less than 12 years and not more than  
16 50 years with respect to 400 grams or more but less  
17 than 900 grams of a substance containing morphine,  
18 or an analog thereof;

19 (D) not less than 15 years and not more than  
20 60 years with respect to 900 grams or more of a  
21 substance containing morphine, or an analog thereof;

22 (4) 200 grams or more of any substance containing  
23 peyote, or an analog thereof;

24 (5) 200 grams or more of any substance containing a  
25 derivative of barbituric acid or any of the salts of a  
26 derivative of barbituric acid, or an analog thereof;

27 (6) 200 grams or more of any substance containing  
28 amphetamine or any salt of an optical isomer of  
29 amphetamine, or an analog thereof;

30 (6.5) (A) not less than 6 years and not more than  
31 30 years with respect to 15 grams or more but less  
32 than 100 grams of a substance containing  
33 methamphetamine or any salt of an optical isomer of  
34 methamphetamine, or an analog thereof;

1           (B) not less than 9 years and not more than 40  
2 years with respect to 100 grams or more but less  
3 than 400 grams of a substance containing  
4 methamphetamine or any salt of an optical isomer of  
5 methamphetamine, or an analog thereof;

6           (C) not less than 12 years and not more than  
7 50 years with respect to 400 grams or more but less  
8 than 900 grams of a substance containing  
9 methamphetamine or any salt of an optical isomer of  
10 methamphetamine, or an analog thereof;

11           (D) not less than 15 years and not more than  
12 60 years with respect to 900 grams or more of any  
13 substance containing methamphetamine or any salt of  
14 an optical isomer of methamphetamine, or an analog  
15 thereof.

16           (6.6) (A) not less than 6 years and not more than  
17 30 years for the possession of any methamphetamine  
18 manufacturing chemical set forth in paragraph (z-1)  
19 of Section 102 with intent to manufacture 30 grams  
20 or more but less than 150 grams of any substance  
21 containing methamphetamine, or salt of any optical  
22 isomer of methamphetamine, or an analog thereof;

23           (B) not less than 6 years and not more than 40  
24 years for the possession of any methamphetamine  
25 manufacturing chemical set forth in paragraph (z-1)  
26 of Section 102 with intent to manufacture 150 grams  
27 or more but less than 500 grams of any substance  
28 containing methamphetamine, or salt of an optical  
29 isomer of methamphetamine, or an analog thereof;

30           (C) not less than 6 years and not more than 50  
31 years for the possession of any methamphetamine  
32 manufacturing chemical set forth in paragraph (z-1)  
33 of Section 102 with intent to manufacture 500 grams  
34 or more but less than 1200 grams of any substance

1 containing methamphetamine, or salt of an optical  
2 isomer of methamphetamine, or an analog thereof;

3 (D) not less than 6 years and not more than 60  
4 years for the possession of any methamphetamine  
5 manufacturing chemical set forth in paragraph (z-1)  
6 of Section 102 with intent to manufacture 1200 grams  
7 or more of any substance containing methamphetamine,  
8 or salt of an optical isomer of methamphetamine, or  
9 an analog thereof;

10 (7) (A) not less than 6 years and not more than 30  
11 years with respect to: (i) 15 grams or more but less  
12 than 100 grams of a substance containing lysergic  
13 acid diethylamide (LSD), or an analog thereof, or  
14 (ii) 15 or more objects or 15 or more segregated  
15 parts of an object or objects but less than 200  
16 objects or 200 segregated parts of an object or  
17 objects containing in them or having upon them any  
18 amounts of any substance containing lysergic acid  
19 diethylamide (LSD), or an analog thereof;

20 (B) not less than 9 years and not more than 40  
21 years with respect to: (i) 100 grams or more but  
22 less than 400 grams of a substance containing  
23 lysergic acid diethylamide (LSD), or an analog  
24 thereof, or (ii) 200 or more objects or 200 or more  
25 segregated parts of an object or objects but less  
26 than 600 objects or less than 600 segregated parts  
27 of an object or objects containing in them or having  
28 upon them any amount of any substance containing  
29 lysergic acid diethylamide (LSD), or an analog  
30 thereof;

31 (C) not less than 12 years and not more than  
32 50 years with respect to: (i) 400 grams or more but  
33 less than 900 grams of a substance containing  
34 lysergic acid diethylamide (LSD), or an analog

1           thereof, or (ii) 600 or more objects or 600 or more  
2           segregated parts of an object or objects but less  
3           than 1500 objects or 1500 segregated parts of an  
4           object or objects containing in them or having upon  
5           them any amount of any substance containing lysergic  
6           acid diethylamide (LSD), or an analog thereof;

7           (D) not less than 15 years and not more than  
8           60 years with respect to: (i) 900 grams or more of  
9           any substance containing lysergic acid diethylamide  
10          (LSD), or an analog thereof, or (ii) 1500 or more  
11          objects or 1500 or more segregated parts of an  
12          object or objects containing in them or having upon  
13          them any amount of a substance containing lysergic  
14          acid diethylamide (LSD), or an analog thereof;

15          (7.5) (A) not less than 6 years and not more than 30  
16          years with respect to: (i) 15 grams or more but less  
17          than 100 grams of a substance listed in paragraph  
18          (1), (2), (2.1), (3), (14.1), (19), (20), (20.1),  
19          (21), (25), or (26) of subsection (d) of Section  
20          204, or an analog or derivative thereof, or (ii) 15  
21          or more pills, tablets, caplets, capsules, or  
22          objects but less than 200 pills, tablets, caplets,  
23          capsules, or objects containing in them or having  
24          upon them any amounts of any substance listed in  
25          paragraph (1), (2), (2.1), (3), (14.1), (19), (20),  
26          (20.1), (21), (25), or (26) of subsection (d) of  
27          Section 204, or an analog or derivative thereof;

28          (B) not less than 9 years and not more than 40  
29          years with respect to: (i) 100 grams or more but  
30          less than 400 grams of a substance listed in  
31          paragraph (1), (2), (2.1), (3), (14.1), (19), (20),  
32          (20.1), (21), (25), or (26) of subsection (d) of  
33          Section 204, or an analog or derivative thereof, or  
34          (ii) 200 or more pills, tablets, caplets, capsules,

1 or objects but less than 600 pills, tablets,  
2 caplets, capsules, or objects containing in them or  
3 having upon them any amount of any substance listed  
4 in paragraph (1), (2), (2.1), (3), (14.1), (19),  
5 (20), (20.1), (21), (25), or (26) of subsection (d)  
6 of Section 204, or an analog or derivative thereof;

7 (C) not less than 12 years and not more than 50  
8 years with respect to: (i) 400 grams or more but  
9 less than 900 grams of a substance listed in  
10 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),  
11 (20.1), (21), (25), or (26) of subsection (d) of  
12 Section 204, or an analog or derivative thereof, or  
13 (ii) 600 or more pills, tablets, caplets, capsules,  
14 or objects but less than 1,500 pills, tablets,  
15 caplets, capsules, or objects containing in them or  
16 having upon them any amount of any substance listed  
17 in paragraph (1), (2), (2.1), (3), (14.1), (19),  
18 (20), (20.1), (21), (25), or (26) of subsection (d)  
19 of Section 204, or an analog or derivative thereof;

20 (D) not less than 15 years and not more than 60  
21 years with respect to: (i) 900 grams or more of any  
22 substance listed in paragraph (1), (2), (2.1), (3),  
23 (14.1), (19), (20), (20.1), (21), (25), or (26) of  
24 subsection (d) of Section 204, or an analog or  
25 derivative thereof, or (ii) 1,500 or more pills,  
26 tablets, caplets, capsules, or objects containing in  
27 them or having upon them any amount of a substance  
28 listed in paragraph (1), (2), (2.1), (3), (14.1),  
29 (19), (20), (20.1), (21), (25), or (26) of  
30 subsection (d) of Section 204, or an analog or  
31 derivative thereof;

32 (8) 30 grams or more of any substance containing  
33 pentazocine or any of the salts, isomers and salts of  
34 isomers of pentazocine, or an analog thereof;



1           (9) 30 grams or more of any substance containing  
2 methaqualone or any of the salts, isomers and salts of  
3 isomers of methaqualone, or an analog thereof;

4           (10) 30 grams or more of any substance  
5 containing phencyclidine or any of the salts, isomers  
6 and salts of isomers of phencyclidine (PCP), or an  
7 analog thereof;

8           (10.5) 30 grams or more of any substance containing  
9 ketamine or any of the salts, isomers and salts of  
10 isomers of ketamine, or an analog thereof;

11           (11) 200 grams or more of any substance containing  
12 any other controlled substance classified in Schedules I  
13 or II, or an analog thereof, which is not otherwise  
14 included in this subsection.

15           (b) Any person sentenced with respect to violations of  
16 paragraph (1), (2), (3), (6.5), (6.6), ~~or (7)~~, or (7.5) of  
17 subsection (a) involving 100 grams or more of the controlled  
18 substance named therein, may in addition to the penalties  
19 provided therein, be fined an amount not more than \$500,000  
20 or the full street value of the controlled or counterfeit  
21 substance or controlled substance analog, whichever is  
22 greater. The term "street value" shall have the meaning  
23 ascribed in Section 110-5 of the Code of Criminal Procedure  
24 of 1963. Any person sentenced with respect to any other  
25 provision of subsection (a), may in addition to the penalties  
26 provided therein, be fined an amount not to exceed \$500,000.

27           (c) Any person who violates this Section with regard to  
28 the following amounts of controlled or counterfeit substances  
29 or controlled substance analogs, notwithstanding any of the  
30 provisions of subsections (a), (b), (d), (e), (f), (g) or (h)  
31 to the contrary, is guilty of a Class 1 felony. The fine for  
32 violation of this subsection (c) shall not be more than  
33 \$250,000:

34           (1) 10 or more grams but less than 15 grams of any

1 substance containing heroin, or an analog thereof;

2 (2) 1 gram or more but less than 15 grams of any  
3 substance containing cocaine, or an analog thereof;

4 (3) 10 grams or more but less than 15 grams of any  
5 substance containing morphine, or an analog thereof;

6 (4) 50 grams or more but less than 200 grams of any  
7 substance containing peyote, or an analog thereof;

8 (5) 50 grams or more but less than 200 grams of any  
9 substance containing a derivative of barbituric acid or  
10 any of the salts of a derivative of barbituric acid, or  
11 an analog thereof;

12 (6) 50 grams or more but less than 200 grams of any  
13 substance containing amphetamine or any salt of an  
14 optical isomer of amphetamine, or an analog thereof;

15 (6.5) 5 grams or more but less than 15 grams of any  
16 substance containing methamphetamine or any salt or  
17 optical isomer of methamphetamine, or an analog thereof;

18 (7) (i) 5 grams or more but less than 15 grams of  
19 any substance containing lysergic acid diethylamide  
20 (LSD), or an analog thereof, or (ii) more than 10 objects  
21 or more than 10 segregated parts of an object or objects  
22 but less than 15 objects or less than 15 segregated parts  
23 of an object containing in them or having upon them any  
24 amount of any substance containing lysergic acid  
25 diethylamide (LSD), or an analog thereof;

26 (7.5) (i) 5 grams or more but less than 15 grams of  
27 any substance listed in paragraph (1), (2), (2.1), (3),  
28 (14.1), (19), (20), (20.1), (21), (25), or (26) of  
29 subsection (d) of Section 204, or an analog or derivative  
30 thereof, or (ii) more than 10 pills, tablets, caplets,  
31 capsules, or objects but less than 15 pills, tablets,  
32 caplets, capsules, or objects containing in them or  
33 having upon them any amount of any substance listed in  
34 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),

1 (20.1), (21), (25), or (26) of subsection (d) of Section  
2 204, or an analog or derivative thereof;

3 (8) 10 grams or more but less than 30 grams of any  
4 substance containing pentazocine or any of the salts,  
5 isomers and salts of isomers of pentazocine, or an analog  
6 thereof;

7 (9) 10 grams or more but less than 30 grams of any  
8 substance containing methaqualone or any of the salts,  
9 isomers and salts of isomers of methaqualone, or an  
10 analog thereof;

11 (10) 10 grams or more but less than 30 grams of any  
12 substance containing phencyclidine or any of the salts,  
13 isomers and salts of isomers of phencyclidine (PCP), or  
14 an analog thereof;

15 (10.5) 10 grams or more but less than 30 grams of  
16 any substance containing ketamine or any of the salts,  
17 isomers and salts of isomers of ketamine, or an analog  
18 thereof;

19 (11) 50 grams or more but less than 200 grams of  
20 any substance containing a substance classified in  
21 Schedules I or II, or an analog thereof, which is not  
22 otherwise included in this subsection.

23 (c-5) Any person who violates this Section with regard  
24 to possession of any methamphetamine manufacturing chemical  
25 set forth in paragraph (z-1) of Section 102 with intent to  
26 manufacture 15 grams or more but less than 30 grams of  
27 methamphetamine, or salt of an optical isomer of  
28 methamphetamine or any analog thereof, is guilty of a Class 1  
29 felony. The fine for violation of this subsection (c-5)  
30 shall not be more than \$250,000.

31 (d) Any person who violates this Section with regard to  
32 any other amount of a controlled or counterfeit substance  
33 classified in Schedules I or II, or an analog thereof, which  
34 is (i) a narcotic drug, (ii) lysergic acid diethylamide (LSD)

1 or an analog thereof, or (iii) any substance containing  
2 amphetamine or methamphetamine or any salt or optical isomer  
3 of amphetamine or methamphetamine, or an analog thereof, is  
4 guilty of a Class 2 felony. The fine for violation of this  
5 subsection (d) shall not be more than \$200,000.

6 (d-5) Any person who violates this Section with regard  
7 to possession of any methamphetamine manufacturing chemical  
8 set forth in paragraph (z-1) of Section 102 with intent to  
9 manufacture less than 15 grams of methamphetamine, or salt of  
10 an optical isomer of methamphetamine or any analog thereof,  
11 is guilty of a Class 2 felony. The fine for violation of  
12 this subsection (d-5) shall not be more than \$200,000.

13 (e) Any person who violates this Section with regard to  
14 any other amount of a controlled or counterfeit substance  
15 classified in Schedule I or II, or an analog thereof, which  
16 substance is not included under subsection (d) of this  
17 Section, is guilty of a Class 3 felony. The fine for  
18 violation of this subsection (e) shall not be more than  
19 \$150,000.

20 (f) Any person who violates this Section with regard to  
21 any other amount of a controlled or counterfeit substance  
22 classified in Schedule III is guilty of a Class 3 felony. The  
23 fine for violation of this subsection (f) shall not be more  
24 than \$125,000.

25 (g) Any person who violates this Section with regard to  
26 any other amount of a controlled or counterfeit substance  
27 classified in Schedule IV is guilty of a Class 3 felony. The  
28 fine for violation of this subsection (g) shall not be more  
29 than \$100,000.

30 (h) Any person who violates this Section with regard to  
31 any other amount of a controlled or counterfeit substance  
32 classified in Schedule V is guilty of a Class 3 felony. The  
33 fine for violation of this subsection (h) shall not be more  
34 than \$75,000.

1 (i) This Section does not apply to the manufacture,  
2 possession or distribution of a substance in conformance with  
3 the provisions of an approved new drug application or an  
4 exemption for investigational use within the meaning of  
5 Section 505 of the Federal Food, Drug and Cosmetic Act.

6 (Source: P.A. 90-382, eff. 8-15-97; 90-593, eff. 6-19-98;  
7 90-674, eff. 1-1-99; 91-336, eff. 1-1-00; 91-357, eff.  
8 7-29-99; 91-403, eff. 1-1-00; revised 8-30-99.)

9 (720 ILCS 570/402) (from Ch. 56 1/2, par. 1402)

10 Sec. 402. Except as otherwise authorized by this Act, it  
11 is unlawful for any person knowingly to possess a controlled  
12 or counterfeit substance. A violation of this Act with  
13 respect to each of the controlled substances listed herein  
14 constitutes a single and separate violation of this Act.

15 (a) Any person who violates this Section with respect to  
16 the following controlled or counterfeit substances and  
17 amounts, notwithstanding any of the provisions of subsections  
18 (c) and (d) to the contrary, is guilty of a Class 1 felony  
19 and shall, if sentenced to a term of imprisonment, be  
20 sentenced as provided in this subsection (a) and fined as  
21 provided in subsection (b):

22 (1) (A) not less than 4 years and not more than 15  
23 years with respect to 15 grams or more but less than  
24 100 grams of a substance containing heroin;

25 (B) not less than 6 years and not more than 30  
26 years with respect to 100 grams or more but less  
27 than 400 grams of a substance containing heroin;

28 (C) not less than 8 years and not more than 40  
29 years with respect to 400 grams or more but less  
30 than 900 grams of any substance containing heroin;

31 (D) not less than 10 years and not more than  
32 50 years with respect to 900 grams or more of any  
33 substance containing heroin;

1 (2) (A) not less than 4 years and not more than 15  
2 years with respect to 15 grams or more but less than  
3 100 grams of any substance containing cocaine;

4 (B) not less than 6 years and not more than 30  
5 years with respect to 100 grams or more but less  
6 than 400 grams of any substance containing cocaine;

7 (C) not less than 8 years and not more than 40  
8 years with respect to 400 grams or more but less  
9 than 900 grams of any substance containing cocaine;

10 (D) not less than 10 years and not more than  
11 50 years with respect to 900 grams or more of any  
12 substance containing cocaine;

13 (3) (A) not less than 4 years and not more than 15  
14 years with respect to 15 grams or more but less than  
15 100 grams of any substance containing morphine;

16 (B) not less than 6 years and not more than 30  
17 years with respect to 100 grams or more but less  
18 than 400 grams of any substance containing morphine;

19 (C) not less than 6 years and not more than 40  
20 years with respect to 400 grams or more but less  
21 than 900 grams of any substance containing morphine;

22 (D) not less than 10 years and not more than  
23 50 years with respect to 900 grams or more of any  
24 substance containing morphine;

25 (4) 200 grams or more of any substance containing  
26 peyote;

27 (5) 200 grams or more of any substance containing a  
28 derivative of barbituric acid or any of the salts of a  
29 derivative of barbituric acid;

30 (6) 200 grams or more of any substance containing  
31 amphetamine or any salt of an optical isomer of  
32 amphetamine;

33 (6.5) (A) not less than 4 years and not more than  
34 15 years with respect to 15 grams or more but less

1 than 100 grams of a substance containing  
2 methamphetamine or any salt of an optical isomer of  
3 methamphetamine;

4 (B) not less than 6 years and not more than 30  
5 years with respect to 100 grams or more but less  
6 than 400 grams of a substance containing  
7 methamphetamine or any salt of an optical isomer of  
8 methamphetamine;

9 (C) not less than 8 years and not more than 40  
10 years with respect to 400 grams or more but less  
11 than 900 grams of a substance containing  
12 methamphetamine or any salt of an optical isomer of  
13 methamphetamine;

14 (D) not less than 10 years and not more than  
15 50 years with respect to 900 grams or more of any  
16 substance containing methamphetamine or any salt of  
17 an optical isomer of methamphetamine;

18 (7) (A) not less than 4 years and not more than 15  
19 years with respect to: (i) 15 grams or more but less  
20 than 100 grams of any substance containing lysergic  
21 acid diethylamide (LSD), or an analog thereof, or  
22 (ii) 15 or more objects or 15 or more segregated  
23 parts of an object or objects but less than 200  
24 objects or 200 segregated parts of an object or  
25 objects containing in them or having upon them any  
26 amount of any substance containing lysergic acid  
27 diethylamide (LSD), or an analog thereof;

28 (B) not less than 6 years and not more than 30  
29 years with respect to: (i) 100 grams or more but  
30 less than 400 grams of any substance containing  
31 lysergic acid diethylamide (LSD), or an analog  
32 thereof, or (ii) 200 or more objects or 200 or more  
33 segregated parts of an object or objects but less  
34 than 600 objects or less than 600 segregated parts

1 of an object or objects containing in them or having  
2 upon them any amount of any substance containing  
3 lysergic acid diethylamide (LSD), or an analog  
4 thereof;

5 (C) not less than 8 years and not more than 40  
6 years with respect to: (i) 400 grams or more but  
7 less than 900 grams of any substance containing  
8 lysergic acid diethylamide (LSD), or an analog  
9 thereof, or (ii) 600 or more objects or 600 or more  
10 segregated parts of an object or objects but less  
11 than 1500 objects or 1500 segregated parts of an  
12 object or objects containing in them or having upon  
13 them any amount of any substance containing lysergic  
14 acid diethylamide (LSD), or an analog thereof;

15 (D) not less than 10 years and not more than  
16 50 years with respect to: (i) 900 grams or more of  
17 any substance containing lysergic acid diethylamide  
18 (LSD), or an analog thereof, or (ii) 1500 or more  
19 objects or 1500 or more segregated parts of an  
20 object or objects containing in them or having upon  
21 them any amount of a substance containing lysergic  
22 acid diethylamide (LSD), or an analog thereof;

23 (7.5) (A) not less than 4 years and not more than 15  
24 years with respect to: (i) 15 grams or more but less  
25 than 100 grams of any substance listed in paragraph  
26 (1), (2), (2.1), (3), (14.1), (19), (20), (20.1),  
27 (21), (25), or (26) of subsection (d) of Section  
28 204, or an analog or derivative thereof, or (ii) 15  
29 or more pills, tablets, caplets, capsules, or  
30 objects but less than 200 pills, tablets, caplets,  
31 capsules, or objects containing in them or having  
32 upon them any amount of any substance listed in  
33 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),  
34 (20.1), (21), (25), or (26) of subsection (d) of



1 Section 204, or an analog or derivative thereof;

2 (B) not less than 6 years and not more than 30  
3 years with respect to: (i) 100 grams or more but  
4 less than 400 grams of any substance listed in  
5 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),  
6 (20.1), (21), (25), or (26) of subsection (d) of  
7 Section 204, or an analog or derivative thereof, or  
8 (ii) 200 or more pills, tablets, caplets, capsules,  
9 or objects but less than 600 pills, tablets,  
10 caplets, capsules, or objects containing in them or  
11 having upon them any amount of any substance listed  
12 in paragraph (1), (2), (2.1), (3), (14.1), (19),  
13 (20), (20.1), (21), (25), or (26) of subsection (d)  
14 of Section 204, or an analog or derivative thereof;

15 (C) not less than 8 years and not more than 40  
16 years with respect to: (i) 400 grams or more but  
17 less than 900 grams of any substance listed in  
18 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),  
19 (20.1), (21), (25), or (26) of subsection (d) of  
20 Section 204, or an analog or derivative thereof, or  
21 (ii) 600 or more pills, tablets, caplets, capsules,  
22 or objects but less than 1,500 pills, tablets,  
23 caplets, capsules, or objects containing in them or  
24 having upon them any amount of any substance listed  
25 in paragraph (1), (2), (2.1), (3), (14.1), (19),  
26 (20), (20.1), (21), (25), or (26) of subsection (d)  
27 of Section 204, or an analog or derivative thereof;

28 (D) not less than 10 years and not more than 50  
29 years with respect to: (i) 900 grams or more of any  
30 substance listed in paragraph (1), (2), (2.1), (3),  
31 (14.1), (19), (20), (20.1), (21), (25), or (26) of  
32 subsection (d) of Section 204, or an analog or  
33 derivative thereof, or (ii) 1,500 or more pills,  
34 tablets, caplets, capsules, or objects containing in

1 them or having upon them any amount of a substance  
2 listed in paragraph (1), (2), (2.1), (3), (14.1),  
3 (19), (20), (20.1), (21), (25), or (26) of  
4 subsection (d) of Section 204, or an analog or  
5 derivative thereof;

6 (8) 30 grams or more of any substance containing  
7 pentazocine or any of the salts, isomers and salts of  
8 isomers of pentazocine, or an analog thereof;

9 (9) 30 grams or more of any substance containing  
10 methaqualone or any of the salts, isomers and salts of  
11 isomers of methaqualone;

12 (10) 30 grams or more of any substance containing  
13 phencyclidine or any of the salts, isomers and salts of  
14 isomers of phencyclidine (PCP);

15 (10.5) 30 grams or more of any substance containing  
16 ketamine or any of the salts, isomers and salts of  
17 isomers of ketamine;

18 (11) 200 grams or more of any substance containing  
19 any substance classified as a narcotic drug in Schedules  
20 I or II which is not otherwise included in this  
21 subsection.

22 (b) Any person sentenced with respect to violations of  
23 paragraph (1), (2), (3), (6.5), ~~or~~ (7), or (7.5) of  
24 subsection (a) involving 100 grams or more of the controlled  
25 substance named therein, may in addition to the penalties  
26 provided therein, be fined an amount not to exceed \$200,000  
27 or the full street value of the controlled or counterfeit  
28 substances, whichever is greater. The term "street value"  
29 shall have the meaning ascribed in Section 110-5 of the Code  
30 of Criminal Procedure of 1963. Any person sentenced with  
31 respect to any other provision of subsection (a), may in  
32 addition to the penalties provided therein, be fined an  
33 amount not to exceed \$200,000.

34 (c) Any person who violates this Section with regard to

1 an amount of a controlled or counterfeit substance not set  
2 forth in subsection (a) or (d) is guilty of a Class 4 felony.  
3 The fine for a violation punishable under this subsection (c)  
4 shall not be more than \$25,000.

5 (d) Any person who violates this Section with regard to  
6 any amount of anabolic steroid is guilty of a Class C  
7 misdemeanor for the first offense and a Class B misdemeanor  
8 for a subsequent offense committed within 2 years of a prior  
9 conviction.

10 (Source: P.A. 90-382, eff. 8-15-97; 90-593, eff. 6-19-98;  
11 90-655, eff. 7-30-98; 90-674, eff. 1-1-99; 91-336, eff.  
12 1-1-00; 91-357, eff. 7-29-99.)