



Rep. Sue Scherer

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10000HB1466ham001

LRB100 03290 SLF 36615 a

1 AMENDMENT TO HOUSE BILL 1466

2 AMENDMENT NO. _____. Amend House Bill 1466 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 55 as follows:

6 (720 ILCS 646/55)

7 Sec. 55. Methamphetamine delivery.

8 (a) Delivery or possession with intent to deliver
9 methamphetamine or a substance containing methamphetamine.

10 (1) It is unlawful knowingly to engage in the delivery
11 or possession with intent to deliver methamphetamine or a
12 substance containing methamphetamine.

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

15 (A) A person who delivers or possesses with intent
16 to deliver less than 5 grams of methamphetamine or a

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

3 (B) A person who delivers or possesses with intent
4 to deliver 5 or more grams but less than 15 grams of
5 methamphetamine or a substance containing
6 methamphetamine is guilty of a Class 1 felony.

7 (C) A person who delivers or possesses with intent
8 to deliver 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 6 years and
12 not more than 30 years, and subject to a fine not to
13 exceed \$100,000 or the street value of the
14 methamphetamine, whichever is greater.

15 (D) A person who delivers or possesses with intent
16 to deliver 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 9 years and
20 not more than 40 years, and subject to a fine not to
21 exceed \$200,000 or the street value of the
22 methamphetamine, whichever is greater.

23 (E) A person who delivers or possesses with intent
24 to deliver 400 or more grams but less than 900 grams of
25 methamphetamine or a substance containing
26 methamphetamine is guilty of a Class X felony, subject

1 to a term of imprisonment of not less than 12 years and
2 not more than 50 years, and subject to a fine not to
3 exceed \$300,000 or the street value of the
4 methamphetamine, whichever is greater.

5 (F) A person who delivers or possesses with intent
6 to deliver 900 or more grams of methamphetamine or a
7 substance containing methamphetamine is guilty of a
8 Class X felony, subject to a term of imprisonment of
9 not less than 15 years and not more than 60 years, and
10 subject to a fine not to exceed \$400,000 or the street
11 value of the methamphetamine, whichever is greater.

12 (a-5) A person who violates:

13 (1) subparagraph (A) of paragraph (2) of subsection (a)
14 of this Section in any school, on or within 500 feet of the
15 real property comprising any school, or in any conveyance
16 owned, leased, or contracted by a school to transport
17 students to or from school or a school related activity,
18 and at the time of the violation persons under the age of
19 18 are present, the offense is committed during school
20 hours, or the offense is committed at times when persons
21 under the age of 18 are reasonably expected to be present
22 in the school, in the conveyance, or on the real property,
23 such as when after-school activities are occurring, or in
24 any public park or on or within 500 feet of the real
25 property comprising any public park, on the real property
26 comprising any church, synagogue, or other building,

1 structure, or place used primarily for religious worship,
2 or within 500 feet of the real property comprising any
3 church, synagogue, or other building, structure, or place
4 used primarily for religious worship, or on the real
5 property comprising any of the following places: buildings
6 or structures used primarily for housing or providing space
7 for activities for senior citizens, nursing homes,
8 assisted-living centers, senior citizen housing complexes,
9 or senior centers oriented toward daytime activities, or
10 within 500 feet of the real property comprising any of the
11 following places: buildings or structures used primarily
12 for housing or providing space for activities for senior
13 citizens, nursing homes, assisted-living centers, senior
14 citizen housing complexes, or senior centers oriented
15 toward daytime activities and at the time of the violation
16 persons are present or reasonably expected to be present in
17 the church, synagogue, or other building, structure, or
18 place used primarily for religious worship during worship
19 services, or in buildings or structures used primarily for
20 housing or providing space for activities for senior
21 citizens: nursing homes, assisted-living centers, senior
22 citizen housing complexes, or senior centers oriented
23 toward daytime activities during the hours those places,
24 buildings, or structures are open for those activities, or
25 on the real property is guilty of a Class 1 felony;

26 (2) subparagraph (B) of paragraph (2) of subsection (a)

1 of this Section in any school, on or within 500 feet of the
2 real property comprising any school, or in any conveyance
3 owned, leased, or contracted by a school to transport
4 students to or from school or a school related activity,
5 and at the time of the violation persons under the age of
6 18 are present, the offense is committed during school
7 hours, or the offense is committed at times when persons
8 under the age of 18 are reasonably expected to be present
9 in the school, in the conveyance, or on the real property,
10 such as when after-school activities are occurring, or in
11 any public park or on or within 500 feet of the real
12 property comprising any public park, on the real property
13 comprising any church, synagogue, or other building,
14 structure, or place used primarily for religious worship,
15 or within 500 feet of the real property comprising any
16 church, synagogue, or other building, structure, or place
17 used primarily for religious worship, or on the real
18 property comprising any of the following places: buildings
19 or structures used primarily for housing or providing space
20 for activities for senior citizens, nursing homes,
21 assisted-living centers, senior citizen housing complexes,
22 or senior centers oriented toward daytime activities, or
23 within 500 feet of the real property comprising any of the
24 following places: buildings or structures used primarily
25 for housing or providing space for activities for senior
26 citizens, nursing homes, assisted-living centers, senior

1 citizen housing complexes, or senior centers oriented
2 toward daytime activities and at the time of the violation
3 persons are present or reasonably expected to be present in
4 the church, synagogue, or other building, structure, or
5 place used primarily for religious worship during worship
6 services, or in buildings or structures used primarily for
7 housing or providing space for activities for senior
8 citizens: nursing homes, assisted-living centers, senior
9 citizen housing complexes, or senior centers oriented
10 toward daytime activities during the hours those places,
11 buildings, or structures are open for those activities, or
12 on the real property is guilty of a Class X felony;

13 (3) subparagraph (C) of paragraph (2) of subsection (a)
14 of this Section in any school, on or within 500 feet of the
15 real property comprising any school, or in any conveyance
16 owned, leased, or contracted by a school to transport
17 students to or from school or a school related activity,
18 and at the time of the violation persons under the age of
19 18 are present, the offense is committed during school
20 hours, or the offense is committed at times when persons
21 under the age of 18 are reasonably expected to be present
22 in the school, in the conveyance, or on the real property,
23 such as when after-school activities are occurring, or in
24 any public park or on or within 500 feet of the real
25 property comprising any public park, on the real property
26 comprising any church, synagogue, or other building,

1 structure, or place used primarily for religious worship,
2 or within 500 feet of the real property comprising any
3 church, synagogue, or other building, structure, or place
4 used primarily for religious worship, or on the real
5 property comprising any of the following places: buildings
6 or structures used primarily for housing or providing space
7 for activities for senior citizens, nursing homes,
8 assisted-living centers, senior citizen housing complexes,
9 or senior centers oriented toward daytime activities, or
10 within 500 feet of the real property comprising any of the
11 following places: buildings or structures used primarily
12 for housing or providing space for activities for senior
13 citizens, nursing homes, assisted-living centers, senior
14 citizen housing complexes, or senior centers oriented
15 toward daytime activities and at the time of the violation
16 persons are present or reasonably expected to be present in
17 the church, synagogue, or other building, structure, or
18 place used primarily for religious worship during worship
19 services, or in buildings or structures used primarily for
20 housing or providing space for activities for senior
21 citizens: nursing homes, assisted-living centers, senior
22 citizen housing complexes, or senior centers oriented
23 toward daytime activities during the hours those places,
24 buildings, or structures are open for those activities, or
25 on the real property is guilty of a Class X felony for
26 which the defendant shall be sentenced to a term of

1 imprisonment of not less than 8 years and not more than 32
2 years;

3 (4) subparagraph (D) of paragraph (2) of subsection (a)
4 of this Section in any school, on or within 500 feet of the
5 real property comprising any school, or in any conveyance
6 owned, leased, or contracted by a school to transport
7 students to or from school or a school related activity,
8 and at the time of the violation persons under the age of
9 18 are present, the offense is committed during school
10 hours, or the offense is committed at times when persons
11 under the age of 18 are reasonably expected to be present
12 in the school, in the conveyance, or on the real property,
13 such as when after-school activities are occurring, or in
14 any public park or on or within 500 feet of the real
15 property comprising any public park, on the real property
16 comprising any church, synagogue, or other building,
17 structure, or place used primarily for religious worship,
18 or within 500 feet of the real property comprising any
19 church, synagogue, or other building, structure, or place
20 used primarily for religious worship, or on the real
21 property comprising any of the following places: buildings
22 or structures used primarily for housing or providing space
23 for activities for senior citizens, nursing homes,
24 assisted-living centers, senior citizen housing complexes,
25 or senior centers oriented toward daytime activities, or
26 within 500 feet of the real property comprising any of the

1 following places: buildings or structures used primarily
2 for housing or providing space for activities for senior
3 citizens, nursing homes, assisted-living centers, senior
4 citizen housing complexes, or senior centers oriented
5 toward daytime activities and at the time of the violation
6 persons are present or reasonably expected to be present in
7 the church, synagogue, or other building, structure, or
8 place used primarily for religious worship during worship
9 services, or in buildings or structures used primarily for
10 housing or providing space for activities for senior
11 citizens: nursing homes, assisted-living centers, senior
12 citizen housing complexes, or senior centers oriented
13 toward daytime activities during the hours those places,
14 buildings, or structures are open for those activities, or
15 on the real property is guilty of a Class X felony, for
16 which the defendant shall be sentenced to a term of
17 imprisonment of not less than 11 years and not more than 42
18 years;

19 (5) subparagraph (E) of paragraph (2) of subsection (a)
20 of this Section in any school, on or within 500 feet of the
21 real property comprising any school, or in any conveyance
22 owned, leased, or contracted by a school to transport
23 students to or from school or a school related activity,
24 and at the time of the violation persons under the age of
25 18 are present, the offense is committed during school
26 hours, or the offense is committed at times when persons

1 under the age of 18 are reasonably expected to be present
2 in the school, in the conveyance, or on the real property,
3 such as when after-school activities are occurring, or in
4 any public park or on or within 500 feet of the real
5 property comprising any public park, on the real property
6 comprising any church, synagogue, or other building,
7 structure, or place used primarily for religious worship,
8 or within 500 feet of the real property comprising any
9 church, synagogue, or other building, structure, or place
10 used primarily for religious worship, or on the real
11 property comprising any of the following places: buildings
12 or structures used primarily for housing or providing space
13 for activities for senior citizens, nursing homes,
14 assisted-living centers, senior citizen housing complexes,
15 or senior centers oriented toward daytime activities, or
16 within 500 feet of the real property comprising any of the
17 following places: buildings or structures used primarily
18 for housing or providing space for activities for senior
19 citizens, nursing homes, assisted-living centers, senior
20 citizen housing complexes, or senior centers oriented
21 toward daytime activities and at the time of the violation
22 persons are present or reasonably expected to be present in
23 the church, synagogue, or other building, structure, or
24 place used primarily for religious worship during worship
25 services, or in buildings or structures used primarily for
26 housing or providing space for activities for senior

1 citizens: nursing homes, assisted-living centers, senior
2 citizen housing complexes, or senior centers oriented
3 toward daytime activities during the hours those places,
4 buildings, or structures are open for those activities, or
5 on the real property is guilty of a Class X felony, for
6 which the defendant shall be sentenced to a term of
7 imprisonment of not less than 14 years and not more than 52
8 years; and

9 (6) subparagraph (F) of paragraph (2) of subsection (a)
10 of this Section in any school, on or within 500 feet of the
11 real property comprising any school, or in any conveyance
12 owned, leased, or contracted by a school to transport
13 students to or from school or a school related activity,
14 and at the time of the violation persons under the age of
15 18 are present, the offense is committed during school
16 hours, or the offense is committed at times when persons
17 under the age of 18 are reasonably expected to be present
18 in the school, in the conveyance, or on the real property,
19 such as when after-school activities are occurring, or in
20 any public park or on or within 500 feet of the real
21 property comprising any public park, on the real property
22 comprising any church, synagogue, or other building,
23 structure, or place used primarily for religious worship,
24 or within 500 feet of the real property comprising any
25 church, synagogue, or other building, structure, or place
26 used primarily for religious worship, or on the real

1 property comprising any of the following places: buildings
2 or structures used primarily for housing or providing space
3 for activities for senior citizens, nursing homes,
4 assisted-living centers, senior citizen housing complexes,
5 or senior centers oriented toward daytime activities, or
6 within 500 feet of the real property comprising any of the
7 following places: buildings or structures used primarily
8 for housing or providing space for activities for senior
9 citizens, nursing homes, assisted-living centers, senior
10 citizen housing complexes, or senior centers oriented
11 toward daytime activities and at the time of the violation
12 persons are present or reasonably expected to be present in
13 the church, synagogue, or other building, structure, or
14 place used primarily for religious worship during worship
15 services, or in buildings or structures used primarily for
16 housing or providing space for activities for senior
17 citizens: nursing homes, assisted-living centers, senior
18 citizen housing complexes, or senior centers oriented
19 toward daytime activities during the hours those places,
20 buildings, or structures are open for those activities, or
21 on the real property is guilty of a Class X felony, for
22 which the defendant shall be sentenced to a term of
23 imprisonment of not less than 17 years and not more than 62
24 years.

25 (b) Aggravated delivery or possession with intent to
26 deliver methamphetamine or a substance containing

1 methamphetamine.

2 (1) It is unlawful to engage in the aggravated delivery
3 or possession with intent to deliver methamphetamine or a
4 substance containing methamphetamine. A person engages in
5 the aggravated delivery or possession with intent to
6 deliver methamphetamine or a substance containing
7 methamphetamine when the person violates paragraph (1) of
8 subsection (a) of this Section and:

9 (A) the person is at least 18 years of age and
10 knowingly delivers or possesses with intent to deliver
11 the methamphetamine or substance containing
12 methamphetamine to a person under 18 years of age;

13 (B) the person is at least 18 years of age and
14 knowingly uses, engages, employs, or causes another
15 person to use, engage, or employ a person under 18
16 years of age to deliver the methamphetamine or
17 substance containing methamphetamine;

18 (C) the person knowingly delivers or possesses
19 with intent to deliver the methamphetamine or
20 substance containing methamphetamine in any structure
21 or vehicle protected by one or more firearms, explosive
22 devices, booby traps, alarm systems, surveillance
23 systems, guard dogs, or dangerous animals;

24 (D) the person knowingly delivers or possesses
25 with intent to deliver the methamphetamine or
26 substance containing methamphetamine in any school, on

1 any real property comprising any school, or in any
2 conveyance owned, leased, or contracted by a school to
3 transport students to or from school or a
4 school-related activity and at the time of the
5 violation persons under the age of 18 are present, the
6 offense is committed during school hours, or the
7 offense is committed at times when persons under the
8 age of 18 are reasonably expected to be present in the
9 school, in the conveyance, or on the real property,
10 such as when after-school activities are occurring;

11 (E) the person delivers or causes another person to
12 deliver the methamphetamine or substance containing
13 methamphetamine to a woman that the person knows to be
14 pregnant; or

15 (F) (blank).

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

18 (A) A person who delivers or possesses with intent
19 to deliver less than 5 grams of methamphetamine or a
20 substance containing methamphetamine is guilty of a
21 Class 1 felony.

22 (B) A person who delivers or possesses with intent
23 to deliver 5 or more grams but less than 15 grams of
24 methamphetamine or a substance containing
25 methamphetamine is guilty of a Class X felony, subject
26 to a term of imprisonment of not less than 6 years and

1 not more than 30 years, and subject to a fine not to
2 exceed \$100,000 or the street value of the
3 methamphetamine, whichever is greater.

4 (C) A person who delivers or possesses with intent
5 to deliver 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 8 years and
9 not more than 40 years, and subject to a fine not to
10 exceed \$200,000 or the street value of the
11 methamphetamine, whichever is greater.

12 (D) A person who delivers or possesses with intent
13 to deliver 100 or more grams of methamphetamine or a
14 substance containing methamphetamine is guilty of a
15 Class X felony, subject to a term of imprisonment of
16 not less than 10 years and not more than 50 years, and
17 subject to a fine not to exceed \$300,000 or the street
18 value of the methamphetamine, whichever is greater.

19 (c) A person who violates:

20 (1) subparagraph (A) of paragraph (2) of subsection (b)
21 of this Section in any school, on or within 500 feet of the
22 real property comprising any school, or in any conveyance
23 owned, leased, or contracted by a school to transport
24 students to or from school or a school related activity,
25 and at the time of the violation persons under the age of
26 18 are present, the offense is committed during school

1 hours, or the offense is committed at times when persons
2 under the age of 18 are reasonably expected to be present
3 in the school, in the conveyance, or on the real property,
4 such as when after-school activities are occurring, or in
5 any public park or on or within 500 feet of the real
6 property comprising any public park, on the real property
7 comprising any church, synagogue, or other building,
8 structure, or place used primarily for religious worship,
9 or within 500 feet of the real property comprising any
10 church, synagogue, or other building, structure, or place
11 used primarily for religious worship, or on the real
12 property comprising any of the following places: buildings
13 or structures used primarily for housing or providing space
14 for activities for senior citizens, nursing homes,
15 assisted-living centers, senior citizen housing complexes,
16 or senior centers oriented toward daytime activities, or
17 within 500 feet of the real property comprising any of the
18 following places: buildings or structures used primarily
19 for housing or providing space for activities for senior
20 citizens, nursing homes, assisted-living centers, senior
21 citizen housing complexes, or senior centers oriented
22 toward daytime activities and at the time of the violation
23 persons are present or reasonably expected to be present in
24 the church, synagogue, or other building, structure, or
25 place used primarily for religious worship during worship
26 services, or in buildings or structures used primarily for

1 housing or providing space for activities for senior
2 citizens: nursing homes, assisted-living centers, senior
3 citizen housing complexes, or senior centers oriented
4 toward daytime activities during the hours those places,
5 buildings, or structures are open for those activities, or
6 on the real property is guilty of a Class X felony;

7 (2) subparagraph (B) of paragraph (2) of subsection (b)
8 of this Section in any school, on or within 500 feet of the
9 real property comprising any school, or in any conveyance
10 owned, leased, or contracted by a school to transport
11 students to or from school or a school related activity,
12 and at the time of the violation persons under the age of
13 18 are present, the offense is committed during school
14 hours, or the offense is committed at times when persons
15 under the age of 18 are reasonably expected to be present
16 in the school, in the conveyance, or on the real property,
17 such as when after-school activities are occurring, or in
18 any public park or on or within 500 feet of the real
19 property comprising any public park, on the real property
20 comprising any church, synagogue, or other building,
21 structure, or place used primarily for religious worship,
22 or within 500 feet of the real property comprising any
23 church, synagogue, or other building, structure, or place
24 used primarily for religious worship, or on the real
25 property comprising any of the following places: buildings
26 or structures used primarily for housing or providing space

1 for activities for senior citizens, nursing homes,
2 assisted-living centers, senior citizen housing complexes,
3 or senior centers oriented toward daytime activities, or
4 within 500 feet of the real property comprising any of the
5 following places: buildings or structures used primarily
6 for housing or providing space for activities for senior
7 citizens, nursing homes, assisted-living centers, senior
8 citizen housing complexes, or senior centers oriented
9 toward daytime activities and at the time of the violation
10 persons are present or reasonably expected to be present in
11 the church, synagogue, or other building, structure, or
12 place used primarily for religious worship during worship
13 services, or in buildings or structures used primarily for
14 housing or providing space for activities for senior
15 citizens: nursing homes, assisted-living centers, senior
16 citizen housing complexes, or senior centers oriented
17 toward daytime activities during the hours those places,
18 buildings, or structures are open for those activities, or
19 on the real property is guilty of a Class X felony, for
20 which the defendant shall be sentenced to a term of
21 imprisonment of not less than 8 years and not more than 32
22 years;

23 (3) subparagraph (C) of paragraph (2) of subsection (b)
24 of this Section in any school, on or within 500 feet of the
25 real property comprising any school, or in any conveyance
26 owned, leased, or contracted by a school to transport

1 students to or from school or a school related activity,
2 and at the time of the violation persons under the age of
3 18 are present, the offense is committed during school
4 hours, or the offense is committed at times when persons
5 under the age of 18 are reasonably expected to be present
6 in the school, in the conveyance, or on the real property,
7 such as when after-school activities are occurring, or in
8 any public park or on or within 500 feet of the real
9 property comprising any public park, on the real property
10 comprising any church, synagogue, or other building,
11 structure, or place used primarily for religious worship,
12 or within 500 feet of the real property comprising any
13 church, synagogue, or other building, structure, or place
14 used primarily for religious worship, or on the real
15 property comprising any of the following places: buildings
16 or structures used primarily for housing or providing space
17 for activities for senior citizens, nursing homes,
18 assisted-living centers, senior citizen housing complexes,
19 or senior centers oriented toward daytime activities, or
20 within 500 feet of the real property comprising any of the
21 following places: buildings or structures used primarily
22 for housing or providing space for activities for senior
23 citizens, nursing homes, assisted-living centers, senior
24 citizen housing complexes, or senior centers oriented
25 toward daytime activities and at the time of the violation
26 persons are present or reasonably expected to be present in

1 the church, synagogue, or other building, structure, or
2 place used primarily for religious worship during worship
3 services, or in buildings or structures used primarily for
4 housing or providing space for activities for senior
5 citizens: nursing homes, assisted-living centers, senior
6 citizen housing complexes, or senior centers oriented
7 toward daytime activities during the hours those places,
8 buildings, or structures are open for those activities, or
9 on the real property is guilty of a Class X felony, for
10 which the defendant shall be sentenced to a term of
11 imprisonment of not less than 10 years and not more than 42
12 years; and

13 (4) subparagraph (D) of paragraph (2) of subsection (b)
14 of this Section in any school, on or within 500 feet of the
15 real property comprising any school, or in any conveyance
16 owned, leased, or contracted by a school to transport
17 students to or from school or a school related activity,
18 and at the time of the violation persons under the age of
19 18 are present, the offense is committed during school
20 hours, or the offense is committed at times when persons
21 under the age of 18 are reasonably expected to be present
22 in the school, in the conveyance, or on the real property,
23 such as when after-school activities are occurring, or in
24 any public park or on or within 500 feet of the real
25 property comprising any public park, on the real property
26 comprising any church, synagogue, or other building,

1 structure, or place used primarily for religious worship,
2 or within 500 feet of the real property comprising any
3 church, synagogue, or other building, structure, or place
4 used primarily for religious worship, or on the real
5 property comprising any of the following places: buildings
6 or structures used primarily for housing or providing space
7 for activities for senior citizens, nursing homes,
8 assisted-living centers, senior citizen housing complexes,
9 or senior centers oriented toward daytime activities, or
10 within 500 feet of the real property comprising any of the
11 following places: buildings or structures used primarily
12 for housing or providing space for activities for senior
13 citizens, nursing homes, assisted-living centers, senior
14 citizen housing complexes, or senior centers oriented
15 toward daytime activities and at the time of the violation
16 persons are present or reasonably expected to be present in
17 the church, synagogue, or other building, structure, or
18 place used primarily for religious worship during worship
19 services, or in buildings or structures used primarily for
20 housing or providing space for activities for senior
21 citizens: nursing homes, assisted-living centers, senior
22 citizen housing complexes, or senior centers oriented
23 toward daytime activities during the hours those places,
24 buildings, or structures are open for those activities, or
25 on the real property is guilty of a Class X felony, for
26 which the defendant shall be sentenced to a term of

1 imprisonment of not less than 12 years and not more than 52
2 years.

3 (Source: P.A. 100-3, eff. 1-1-18.)".