

SB3093



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3093

Introduced 2/8/2010, by Sen. John M. Sullivan

SYNOPSIS AS INTRODUCED:

720 ILCS 646/115 new

Amends the Methamphetamine Control and Community Protection Act. Provides that whenever any person pleads guilty to, is found guilty of, or is placed on supervision for an offense under the Act, in addition to any other penalty imposed by the court, no such person shall thereafter knowingly purchase, receive, own, or otherwise possess any substance or product containing a methamphetamine precursor, without the methamphetamine precursor first being prescribed for the use of that person in the manner provided for the prescription of Schedule II controlled substances under Article III of the Illinois Controlled Substances Act. Provides that a violation is a Class 1 felony.

LRB096 20292 RLC 35905 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Methamphetamine Control and Community
5 Protection Act is amended by adding Section 115 as follows:

6 (720 ILCS 646/115 new)

7 Sec. 115. Prescriptions.

8 (a) Whenever any person pleads guilty to, is found guilty
9 of, or is placed on supervision for an offense under this Act,
10 in addition to any other penalty imposed by the court, no such
11 person shall thereafter knowingly purchase, receive, own, or
12 otherwise possess any substance or product containing a
13 methamphetamine precursor as defined in Section 10 of this Act,
14 without the methamphetamine precursor first being prescribed
15 for the use of that person in the manner provided for the
16 prescription of Schedule II controlled substances under
17 Article III of the Illinois Controlled Substances Act.

18 (b) A person described in subsection (a) of this Section
19 who is in possession of any substance or product containing a
20 methamphetamine precursor as defined in Section 10 of this Act,
21 in violation of subsection (a) of this Section, is guilty of a
22 Class 1 felony.

23 (c) Nothing in this Section shall be construed to create

1 any duty, responsibility to investigate, or other liability for
2 any person prescribing, dispensing, selling, or otherwise
3 lawfully transferring or providing a methamphetamine precursor
4 to a person described in subsection (a) of this Section.