



Rep. Tom Cross

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09800HB4857ham001

LRB098 16484 RLC 57161 a

1 AMENDMENT TO HOUSE BILL 4857

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4857 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Unified Code of Corrections is amended by  
5 adding Section 5-5-6.1 as follows:

6 (730 ILCS 5/5-5-6.1 new)

7 Sec. 5-5-6.1. Restitution for expenditure of official  
8 advanced funds to law enforcement agencies.

9 (a) In all convictions for offenses in violation of Section  
10 5, 5.1, 5.2, or 9 of the Cannabis Control Act, Section 401,  
11 401.1, 404, 405, 405.1, 405.2, or 407 of the Illinois  
12 Controlled Substances Act, or Section 15, 20, 25, 30, 55, 56,  
13 or 65 of the Methamphetamine Control and Community Protection  
14 Act, the court shall order restitution for:

15 (1) any United States Currency official advanced funds  
16 expended by a law enforcement agency or local drug task

1       force to purchase cannabis, controlled substances, or  
2       methamphetamine or substance to produce or manufacture, or  
3       both, methamphetamine; and

4               (2) any currency used in the investigation leading to  
5       the arrest and conviction.

6       (b) Restitution under this Section shall not exceed the  
7       actual amount expended, minus any official advanced funds  
8       recovered, by the law enforcement agency or task force during  
9       the investigation. Restitution shall be in addition to any  
10       other fine, fee, or cost authorized by law.

11       (c) Restitution shall apply to any agreed or contested  
12       sentence and may be submitted to the court by way of affidavit  
13       setting forth the amount of restitution requested, the name of  
14       the defendant, and the name of the law enforcement agency or  
15       task force.

16       (d) The court may require the defendant to apply the  
17       balance of the cash bond, after payment of court costs, and any  
18       fine that may be imposed to the payment of restitution."