

1 AN ACT in relation to criminal law.

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

4 Section 5. The Drug Paraphernalia Control Act is amended  
5 by changing Section 2 as follows:

6 (720 ILCS 600/2) (from Ch. 56 1/2, par. 2102)

7 Sec. 2. As used in this Act, unless the context  
8 otherwise requires:

9 (a) The term "cannabis" shall have the meaning ascribed  
10 to it in Section 3 of the "Cannabis Control Act", as if that  
11 definition were incorporated herein.

12 (b) The term "controlled substance" shall have the  
13 meaning ascribed to it in Section 102 of the "Illinois  
14 Controlled Substances Act", as if that definition were  
15 incorporated herein.

16 (c) "Deliver" or "delivery" means the actual,  
17 constructive or attempted transfer of possession, with or  
18 without consideration, whether or not there is an agency  
19 relationship.

20 (d) "Drug paraphernalia" means all equipment, products  
21 and materials of any kind, whether commercially produced or  
22 home-made, that which are peculiar to ~~and-marketed-for~~ use in  
23 planting, propagating, cultivating, growing, harvesting,  
24 manufacturing, compounding, converting, producing,  
25 processing, preparing, testing, analyzing, packaging,  
26 repackaging, storing, containing, concealing, injecting,  
27 ingesting, inhaling or otherwise introducing into the human  
28 body cannabis or a controlled substance in violation of the  
29 "Cannabis Control Act" or the "Illinois Controlled Substances  
30 Act". It includes, but is not limited to:

31 (1) Kits peculiar to ~~and---marketed---for~~ use in

1 manufacturing, compounding, converting, producing, processing  
2 or preparing cannabis or a controlled substance;

3 (2) Isomerization devices peculiar to ~~and--marketed--for~~  
4 use in increasing the potency of any species of plant which  
5 is cannabis or a controlled substance;

6 (3) Testing equipment peculiar to ~~and--marketed--for~~  
7 private home use in identifying or in analyzing the strength,  
8 effectiveness or purity of cannabis or controlled substances;

9 (4) Diluents and adulterants peculiar to ~~and--marketed~~  
10 ~~for~~ cutting cannabis or a controlled substance by private  
11 persons;

12 (5) Objects peculiar to ~~and--marketed--for~~ use in  
13 ingesting, inhaling, or otherwise introducing cannabis,  
14 cocaine, hashish, or hashish oil into the human body  
15 including, where applicable, the following items:

- 16 (A) water pipes;
- 17 (B) carburetion tubes and devices;
- 18 (C) smoking and carburetion masks;
- 19 (D) miniature cocaine spoons and cocaine vials;
- 20 (E) carburetor pipes;
- 21 (F) electric pipes;
- 22 (G) air-driven pipes;
- 23 (H) chillums;
- 24 (I) bongs;
- 25 (J) ice pipes or chillers;

26 (6) Any item whose purpose, as announced or described by  
27 the seller or user, is for use in violation of this Act.

28 (e) "Home-made" means an item that is not marketed  
29 commercially and is knowingly made from other items that are  
30 not peculiar to the illegal use of cannabis or a controlled  
31 substance and that the user or maker of the item knows will  
32 be used for the illegal use of cannabis or a controlled  
33 substance.

34 (Source: P.A. 82-1032.)

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.