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09300HB3882ham001

LRB093 13560 RLC 47735 a

1 AMENDMENT TO HOUSE BILL 3882

2 AMENDMENT NO. _____. Amend House Bill 3882 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by
5 changing Section 2-8 and by adding Sections 20-1.4 and 20-1.5
6 as follows:

7 (720 ILCS 5/2-8) (from Ch. 38, par. 2-8)

8 Sec. 2-8. "Forcible felony". "Forcible felony" means
9 treason, first degree murder, second degree murder, predatory
10 criminal sexual assault of a child, aggravated criminal sexual
11 assault, criminal sexual assault, robbery, burglary,
12 residential burglary, aggravated arson, arson, controlled
13 substance manufacturing arson, aggravated controlled substance
14 manufacturing arson, aggravated kidnaping, kidnaping,
15 aggravated battery resulting in great bodily harm or permanent
16 disability or disfigurement and any other felony which involves
17 the use or threat of physical force or violence against any
18 individual.

19 (Source: P.A. 88-277; 89-428, eff. 12-13-95; 89-462, eff.
20 5-29-96.)

21 (720 ILCS 5/20-1.4 new)

22 Sec. 20-1.4. Controlled substance manufacturing arson.

23 (a) A person commits the offense of controlled substance

1 manufacturing arson when he or she knowingly manufactures or
2 attempts to manufacture a substance in violation of the
3 Illinois Controlled Substances Act and that act is a
4 contributing cause of damage to any property of another by fire
5 or explosion.

6 (b) Sentence. Controlled substance manufacturing arson is
7 a Class 1 felony.

8 (720 ILCS 5/20-1.5 new)

9 Sec. 20-1.5. Aggravated controlled substance manufacturing
10 arson.

11 (a) A person commits the offense of aggravated controlled
12 substance manufacturing arson when he or she knowingly
13 manufactures or attempts to manufacture a substance in
14 violation of the Illinois Controlled Substances Act and that
15 act is a contributing cause of damage to any building or
16 structure and:

17 (1) he or she knows or reasonably should know that one
18 or more persons are present in the building or structure;
19 or

20 (2) any person suffers bodily harm; or

21 (3) the building or structure is the dwelling place of
22 another.

23 (b) Sentence. Aggravated controlled substance
24 manufacturing arson is a Class X felony for which the defendant
25 shall be sentenced to a term of imprisonment of not less than
26 15 years and not more than 50 years."