



State Government Administration Committee

**Filed: 3/11/2009**

09600HB2490ham001

LRB096 09113 AJT 22994 a

1 AMENDMENT TO HOUSE BILL 2490

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2490 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 6-303 as follows:

6 (625 ILCS 5/6-303) (from Ch. 95 1/2, par. 6-303)

7 (Text of Section before amendment by P.A. 95-991)

8 Sec. 6-303. Driving while driver's license, permit or  
9 privilege to operate a motor vehicle is suspended or revoked.

10 (a) Except as otherwise provided in subsection (a-5), any  
11 person who drives or is in actual physical control of a motor  
12 vehicle on any highway of this State at a time when such  
13 person's driver's license, permit or privilege to do so or the  
14 privilege to obtain a driver's license or permit is revoked or  
15 suspended as provided by this Code or the law of another state,  
16 except as may be specifically allowed by a judicial driving

1 permit issued prior to January 1, 2009, monitoring device  
2 driving permit, family financial responsibility driving  
3 permit, probationary license to drive, or a restricted driving  
4 permit issued pursuant to this Code or under the law of another  
5 state, shall be guilty of a Class A misdemeanor.

6 (a-5) Any person who violates this Section as provided in  
7 subsection (a) while his or her driver's license, permit or  
8 privilege is revoked because of a violation of Section 9-3 of  
9 the Criminal Code of 1961, relating to the offense of reckless  
10 homicide or a similar provision of a law of another state, is  
11 guilty of a Class 4 felony. The person shall be required to  
12 undergo a professional evaluation, as provided in Section  
13 11-501 of this Code, to determine if an alcohol, drug, or  
14 intoxicating compound problem exists and the extent of the  
15 problem, and to undergo the imposition of treatment as  
16 appropriate.

17 (b) The Secretary of State upon receiving a report of the  
18 conviction of any violation indicating a person was operating a  
19 motor vehicle during the time when said person's driver's  
20 license, permit or privilege was suspended by the Secretary, by  
21 the appropriate authority of another state, or pursuant to  
22 Section 11-501.1; except as may be specifically allowed by a  
23 probationary license to drive, judicial driving permit issued  
24 prior to January 1, 2009, monitoring device driving permit, or  
25 restricted driving permit issued pursuant to this Code or the  
26 law of another state; shall extend the suspension for the same

1 period of time as the originally imposed suspension; however,  
2 if the period of suspension has then expired, the Secretary  
3 shall be authorized to suspend said person's driving privileges  
4 for the same period of time as the originally imposed  
5 suspension.

6 (b-3) When the Secretary of State receives a report of a  
7 conviction of any violation indicating that a vehicle was  
8 operated during the time when the person's driver's license,  
9 permit or privilege was revoked, except as may be allowed by a  
10 restricted driving permit issued pursuant to this Code or the  
11 law of another state, the Secretary shall not issue a driver's  
12 license to that person for an additional period of one year  
13 from the date of such conviction.

14 (b-4) When the Secretary of State receives a report of a  
15 conviction of any violation indicating a person was operating a  
16 motor vehicle that was not equipped with an ignition interlock  
17 device during a time when the person was prohibited from  
18 operating a motor vehicle not equipped with such a device, the  
19 Secretary shall not issue a driver's license to that person for  
20 an additional period of one year from the date of the  
21 conviction.

22 (b-5) Any person convicted of violating this Section shall  
23 serve a minimum term of imprisonment of 30 consecutive days or  
24 300 hours of community service when the person's driving  
25 privilege was revoked or suspended as a result of a violation  
26 of Section 9-3 of the Criminal Code of 1961, as amended,

1 relating to the offense of reckless homicide, or a similar  
2 provision of a law of another state.

3 (c) Except as provided in subsections (c-3) and (c-4), any  
4 person convicted of violating this Section shall serve a  
5 minimum term of imprisonment of 10 consecutive days or 30 days  
6 of community service when the person's driving privilege was  
7 revoked or suspended as a result of:

8 (1) a violation of Section 11-501 of this Code or a  
9 similar provision of a local ordinance relating to the  
10 offense of operating or being in physical control of a  
11 vehicle while under the influence of alcohol, any other  
12 drug or any combination thereof; or

13 (2) a violation of paragraph (b) of Section 11-401 of  
14 this Code or a similar provision of a local ordinance  
15 relating to the offense of leaving the scene of a motor  
16 vehicle accident involving personal injury or death; or

17 (3) a statutory summary suspension under Section  
18 11-501.1 of this Code.

19 Such sentence of imprisonment or community service shall  
20 not be subject to suspension in order to reduce such sentence.

21 (c-1) Except as provided in subsections (c-5) and (d), any  
22 person convicted of a second violation of this Section shall be  
23 ordered by the court to serve a minimum of 100 hours of  
24 community service.

25 (c-2) In addition to other penalties imposed under this  
26 Section, the court may impose on any person convicted a fourth

1 time of violating this Section any of the following:

2 (1) Seizure of the license plates of the person's  
3 vehicle.

4 (2) Immobilization of the person's vehicle for a period  
5 of time to be determined by the court.

6 (c-3) Any person convicted of a violation of this Section  
7 during a period of summary suspension imposed pursuant to  
8 Section 11-501.1 when the person was eligible for a MDDP shall  
9 be guilty of a Class 4 felony and shall serve a minimum term of  
10 imprisonment of 30 days.

11 (c-4) Any person who has been issued a MDDP and who is  
12 convicted of a violation of this Section as a result of  
13 operating or being in actual physical control of a motor  
14 vehicle not equipped with an ignition interlock device at the  
15 time of the offense shall be guilty of a Class 4 felony and  
16 shall serve a minimum term of imprisonment of 30 days.

17 (c-5) Any person convicted of a second violation of this  
18 Section is guilty of a Class 2 felony, is not eligible for  
19 probation or conditional discharge, and shall serve a mandatory  
20 term of imprisonment, if the revocation or suspension was for a  
21 violation of Section 9-3 of the Criminal Code of 1961, relating  
22 to the offense of reckless homicide, or a similar out-of-state  
23 offense.

24 (d) Any person convicted of a second violation of this  
25 Section shall be guilty of a Class 4 felony and shall serve a  
26 minimum term of imprisonment of 30 days or 300 hours of

1 community service, as determined by the court, if the  
2 revocation or suspension was for a violation of Section 11-401  
3 or 11-501 of this Code, or a similar out-of-state offense, or a  
4 similar provision of a local ordinance, or a statutory summary  
5 suspension under Section 11-501.1 of this Code.

6 (d-1) Except as provided in subsections (d-2), (d-2.5), and  
7 (d-3), any person convicted of a third or subsequent violation  
8 of this Section shall serve a minimum term of imprisonment of  
9 30 days or 300 hours of community service, as determined by the  
10 court.

11 (d-2) Any person convicted of a third violation of this  
12 Section is guilty of a Class 4 felony and must serve a minimum  
13 term of imprisonment of 30 days if the revocation or suspension  
14 was for a violation of Section 11-401 or 11-501 of this Code,  
15 or a similar out-of-state offense, or a similar provision of a  
16 local ordinance, or a statutory summary suspension under  
17 Section 11-501.1 of this Code.

18 (d-2.5) Any person convicted of a third violation of this  
19 Section is guilty of a Class 1 felony, is not eligible for  
20 probation or conditional discharge, and must serve a mandatory  
21 term of imprisonment if the revocation or suspension was for a  
22 violation of Section 9-3 of the Criminal Code of 1961, relating  
23 to the offense of reckless homicide, or a similar out-of-state  
24 offense.

25 (d-3) Any person convicted of a fourth, fifth, sixth,  
26 seventh, eighth, or ninth violation of this Section is guilty

1 of a Class 4 felony and must serve a minimum term of  
2 imprisonment of 180 days if the revocation or suspension was  
3 for a violation of Section 11-401 ~~or 11-501~~ of this Code, or a  
4 similar out-of-state offense, or a similar provision of a local  
5 ordinance, ~~or a statutory summary suspension under Section~~  
6 ~~11-501.1 of this Code.~~

7 (d-3.3) Any person convicted of a fourth, fifth, sixth,  
8 seventh, eighth, or ninth violation of this Section is guilty  
9 of a Class 4 felony and must serve a minimum term of  
10 imprisonment of 180 days or serve a minimum of 60 days and  
11 abstain from consuming alcohol while wearing a continuous  
12 alcohol monitoring device to verify compliance for 270 days  
13 after imprisonment if the revocation or suspension was for a  
14 violation of Section 11-501 of this Code, or a similar  
15 out-of-state offense, or a similar provision of a local  
16 ordinance, or a statutory summary suspension under Section  
17 11-501.1 of this Code.

18 (d-3.5) Any person convicted of a fourth or subsequent  
19 violation of this Section is guilty of a Class 1 felony, is not  
20 eligible for probation or conditional discharge, and must serve  
21 a mandatory term of imprisonment, and is eligible for an  
22 extended term, if the revocation or suspension was for a  
23 violation of Section 9-3 of the Criminal Code of 1961, relating  
24 to the offense of reckless homicide, or a similar out-of-state  
25 offense.

26 (d-4) Any person convicted of a tenth, eleventh, twelfth,

1 thirteenth, or fourteenth violation of this Section is guilty  
2 of a Class 3 felony, and is not eligible for probation or  
3 conditional discharge, if the revocation or suspension was for  
4 a violation of Section 11-401 ~~or 11-501~~ of this Code, or a  
5 similar out-of-state offense, or a similar provision of a local  
6 ordinance, ~~or a statutory summary suspension under Section~~  
7 ~~11-501.1 of this Code.~~

8 (d-4.5) Any person convicted of a tenth, eleventh, twelfth,  
9 thirteenth, or fourteenth violation of this Section is guilty  
10 of a Class 3 felony, and is not eligible for probation or  
11 conditional discharge, if the revocation or suspension was for  
12 a violation of Section 11-501 of this Code, or a similar  
13 out-of-state offense, or a similar provision of a local  
14 ordinance, or a statutory summary suspension under Section  
15 11-501.1 of this Code. Upon release, the person shall abstain  
16 from consuming alcohol and wear a continuous alcohol monitoring  
17 device to verify compliance for 365 days after imprisonment.

18 (d-5) Any person convicted of a fifteenth or subsequent  
19 violation of this Section is guilty of a Class 2 felony, and is  
20 not eligible for probation or conditional discharge, if the  
21 revocation or suspension was for a violation of Section 11-401  
22 ~~or 11-501~~ of this Code, or a similar out-of-state offense, or a  
23 similar provision of a local ordinance, ~~or a statutory summary~~  
24 ~~suspension under Section 11-501.1 of this Code.~~

25 (d-7) Any person convicted of a fifteenth or subsequent  
26 violation of this Section is guilty of a Class 2 felony, and is



1 not eligible for probation or conditional discharge, if the  
2 revocation or suspension was for a violation of Section 11-501  
3 of this Code, or a similar out-of-state offense, or a similar  
4 provision of a local ordinance, or a statutory summary  
5 suspension under Section 11-501.1 of this Code. Upon release,  
6 the person shall abstain from consuming alcohol and wear a  
7 continuous alcohol monitoring device to verify compliance for  
8 365 days after imprisonment.

9 (e) Any person in violation of this Section who is also in  
10 violation of Section 7-601 of this Code relating to mandatory  
11 insurance requirements, in addition to other penalties imposed  
12 under this Section, shall have his or her motor vehicle  
13 immediately impounded by the arresting law enforcement  
14 officer. The motor vehicle may be released to any licensed  
15 driver upon a showing of proof of insurance for the vehicle  
16 that was impounded and the notarized written consent for the  
17 release by the vehicle owner.

18 (f) For any prosecution under this Section, a certified  
19 copy of the driving abstract of the defendant shall be admitted  
20 as proof of any prior conviction.

21 (g) The motor vehicle used in a violation of this Section  
22 is subject to seizure and forfeiture as provided in Sections  
23 36-1 and 36-2 of the Criminal Code of 1961 if the person's  
24 driving privilege was revoked or suspended as a result of a  
25 violation listed in paragraph (1), (2), or (3) of subsection  
26 (c) of this Section or as a result of a summary suspension as

1 provided in paragraph (4) of subsection (c) of this Section.

2 (h) For the purposes of this Section, "continuous alcohol  
3 monitoring device" means a device that automatically tests  
4 breath, blood, or transdermal alcohol concentration levels at  
5 least once every hour and detects tamper attempts, regardless  
6 of the location of the person who is being monitored, and  
7 regularly transmits such data. A person required to wear a  
8 continuous alcohol monitoring device under this Section is  
9 responsible for all costs of the device.

10 (Source: P.A. 94-112, eff. 1-1-06; 95-27, eff. 1-1-08; 95-377,  
11 eff. 1-1-08; 95-400, eff. 1-1-09; 95-578, eff. 6-1-08; 95-876,  
12 eff. 8-21-08.)

13 (Text of Section after amendment by P.A. 95-991)

14 Sec. 6-303. Driving while driver's license, permit or  
15 privilege to operate a motor vehicle is suspended or revoked.

16 (a) Except as otherwise provided in subsection (a-5), any  
17 person who drives or is in actual physical control of a motor  
18 vehicle on any highway of this State at a time when such  
19 person's driver's license, permit or privilege to do so or the  
20 privilege to obtain a driver's license or permit is revoked or  
21 suspended as provided by this Code or the law of another state,  
22 except as may be specifically allowed by a judicial driving  
23 permit issued prior to January 1, 2009, monitoring device  
24 driving permit, family financial responsibility driving  
25 permit, probationary license to drive, or a restricted driving

1 permit issued pursuant to this Code or under the law of another  
2 state, shall be guilty of a Class A misdemeanor.

3 (a-5) Any person who violates this Section as provided in  
4 subsection (a) while his or her driver's license, permit or  
5 privilege is revoked because of a violation of Section 9-3 of  
6 the Criminal Code of 1961, relating to the offense of reckless  
7 homicide or a similar provision of a law of another state, is  
8 guilty of a Class 4 felony. The person shall be required to  
9 undergo a professional evaluation, as provided in Section  
10 11-501 of this Code, to determine if an alcohol, drug, or  
11 intoxicating compound problem exists and the extent of the  
12 problem, and to undergo the imposition of treatment as  
13 appropriate.

14 (b) The Secretary of State upon receiving a report of the  
15 conviction of any violation indicating a person was operating a  
16 motor vehicle during the time when said person's driver's  
17 license, permit or privilege was suspended by the Secretary, by  
18 the appropriate authority of another state, or pursuant to  
19 Section 11-501.1; except as may be specifically allowed by a  
20 probationary license to drive, judicial driving permit issued  
21 prior to January 1, 2009, monitoring device driving permit, or  
22 restricted driving permit issued pursuant to this Code or the  
23 law of another state; shall extend the suspension for the same  
24 period of time as the originally imposed suspension; however,  
25 if the period of suspension has then expired, the Secretary  
26 shall be authorized to suspend said person's driving privileges

1 for the same period of time as the originally imposed  
2 suspension.

3 (b-3) When the Secretary of State receives a report of a  
4 conviction of any violation indicating that a vehicle was  
5 operated during the time when the person's driver's license,  
6 permit or privilege was revoked, except as may be allowed by a  
7 restricted driving permit issued pursuant to this Code or the  
8 law of another state, the Secretary shall not issue a driver's  
9 license to that person for an additional period of one year  
10 from the date of such conviction.

11 (b-4) When the Secretary of State receives a report of a  
12 conviction of any violation indicating a person was operating a  
13 motor vehicle that was not equipped with an ignition interlock  
14 device during a time when the person was prohibited from  
15 operating a motor vehicle not equipped with such a device, the  
16 Secretary shall not issue a driver's license to that person for  
17 an additional period of one year from the date of the  
18 conviction.

19 (b-5) Any person convicted of violating this Section shall  
20 serve a minimum term of imprisonment of 30 consecutive days or  
21 300 hours of community service when the person's driving  
22 privilege was revoked or suspended as a result of a violation  
23 of Section 9-3 of the Criminal Code of 1961, as amended,  
24 relating to the offense of reckless homicide, or a similar  
25 provision of a law of another state.

26 (c) Except as provided in subsections (c-3) and (c-4), any

1 person convicted of violating this Section shall serve a  
2 minimum term of imprisonment of 10 consecutive days or 30 days  
3 of community service when the person's driving privilege was  
4 revoked or suspended as a result of:

5 (1) a violation of Section 11-501 of this Code or a  
6 similar provision of a local ordinance relating to the  
7 offense of operating or being in physical control of a  
8 vehicle while under the influence of alcohol, any other  
9 drug or any combination thereof; or

10 (2) a violation of paragraph (b) of Section 11-401 of  
11 this Code or a similar provision of a local ordinance  
12 relating to the offense of leaving the scene of a motor  
13 vehicle accident involving personal injury or death; or

14 (3) a statutory summary suspension under Section  
15 11-501.1 of this Code.

16 Such sentence of imprisonment or community service shall  
17 not be subject to suspension in order to reduce such sentence.

18 (c-1) Except as provided in subsections (c-5) and (d), any  
19 person convicted of a second violation of this Section shall be  
20 ordered by the court to serve a minimum of 100 hours of  
21 community service.

22 (c-2) In addition to other penalties imposed under this  
23 Section, the court may impose on any person convicted a fourth  
24 time of violating this Section any of the following:

25 (1) Seizure of the license plates of the person's  
26 vehicle.

1           (2) Immobilization of the person's vehicle for a period  
2           of time to be determined by the court.

3           (c-3) Any person convicted of a violation of this Section  
4           during a period of summary suspension imposed pursuant to  
5           Section 11-501.1 when the person was eligible for a MDDP shall  
6           be guilty of a Class 4 felony and shall serve a minimum term of  
7           imprisonment of 30 days.

8           (c-4) Any person who has been issued a MDDP and who is  
9           convicted of a violation of this Section as a result of  
10          operating or being in actual physical control of a motor  
11          vehicle not equipped with an ignition interlock device at the  
12          time of the offense shall be guilty of a Class 4 felony and  
13          shall serve a minimum term of imprisonment of 30 days.

14          (c-5) Any person convicted of a second violation of this  
15          Section is guilty of a Class 2 felony, is not eligible for  
16          probation or conditional discharge, and shall serve a mandatory  
17          term of imprisonment, if the revocation or suspension was for a  
18          violation of Section 9-3 of the Criminal Code of 1961, relating  
19          to the offense of reckless homicide, or a similar out-of-state  
20          offense.

21          (d) Any person convicted of a second violation of this  
22          Section shall be guilty of a Class 4 felony and shall serve a  
23          minimum term of imprisonment of 30 days or 300 hours of  
24          community service, as determined by the court, if the original  
25          revocation or suspension was for a violation of Section 11-401  
26          or 11-501 of this Code, or a similar out-of-state offense, or a

1 similar provision of a local ordinance, or a statutory summary  
2 suspension under Section 11-501.1 of this Code.

3 (d-1) Except as provided in subsections (d-2), (d-2.5), and  
4 (d-3), any person convicted of a third or subsequent violation  
5 of this Section shall serve a minimum term of imprisonment of  
6 30 days or 300 hours of community service, as determined by the  
7 court.

8 (d-2) Any person convicted of a third violation of this  
9 Section is guilty of a Class 4 felony and must serve a minimum  
10 term of imprisonment of 30 days if the revocation or suspension  
11 was for a violation of Section 11-401 or 11-501 of this Code,  
12 or a similar out-of-state offense, or a similar provision of a  
13 local ordinance, or a statutory summary suspension under  
14 Section 11-501.1 of this Code.

15 (d-2.5) Any person convicted of a third violation of this  
16 Section is guilty of a Class 1 felony, is not eligible for  
17 probation or conditional discharge, and must serve a mandatory  
18 term of imprisonment if the revocation or suspension was for a  
19 violation of Section 9-3 of the Criminal Code of 1961, relating  
20 to the offense of reckless homicide, or a similar out-of-state  
21 offense.

22 (d-3) Any person convicted of a fourth, fifth, sixth,  
23 seventh, eighth, or ninth violation of this Section is guilty  
24 of a Class 4 felony and must serve a minimum term of  
25 imprisonment of 180 days if the revocation or suspension was  
26 for a violation of Section 11-401 ~~or 11-501~~ of this Code, or a

1 similar out-of-state offense, or a similar provision of a local  
2 ordinance, ~~or a statutory summary suspension under Section~~  
3 ~~11-501.1 of this Code.~~

4 (d-3.3) Any person convicted of a fourth, fifth, sixth,  
5 seventh, eighth, or ninth violation of this Section is guilty  
6 of a Class 4 felony and must serve a minimum term of  
7 imprisonment of 180 days or serve a minimum of 60 days and  
8 abstain from consuming alcohol while wearing a continuous  
9 alcohol monitoring device to verify compliance for 270 days  
10 after imprisonment if the revocation or suspension was for a  
11 violation of Section 11-501 of this Code, or a similar  
12 out-of-state offense, or a similar provision of a local  
13 ordinance, or a statutory summary suspension under Section  
14 11-501.1 of this Code.

15 (d-3.5) Any person convicted of a fourth or subsequent  
16 violation of this Section is guilty of a Class 1 felony, is not  
17 eligible for probation or conditional discharge, and must serve  
18 a mandatory term of imprisonment, and is eligible for an  
19 extended term, if the revocation or suspension was for a  
20 violation of Section 9-3 of the Criminal Code of 1961, relating  
21 to the offense of reckless homicide, or a similar out-of-state  
22 offense.

23 (d-4) Any person convicted of a tenth, eleventh, twelfth,  
24 thirteenth, or fourteenth violation of this Section is guilty  
25 of a Class 3 felony, and is not eligible for probation or  
26 conditional discharge, if the revocation or suspension was for



1 a violation of Section 11-401 ~~or 11-501~~ of this Code, or a  
2 similar out-of-state offense, or a similar provision of a local  
3 ordinance, ~~or a statutory summary suspension under Section~~  
4 ~~11-501.1 of this Code.~~

5 (d-4.5) Any person convicted of a tenth, eleventh, twelfth,  
6 thirteenth, or fourteenth violation of this Section is guilty  
7 of a Class 3 felony, and is not eligible for probation or  
8 conditional discharge, if the revocation or suspension was for  
9 a violation of Section 11-501 of this Code, or a similar  
10 out-of-state offense, or a similar provision of a local  
11 ordinance, or a statutory summary suspension under Section  
12 11-501.1 of this Code. Upon release, the person shall abstain  
13 from consuming alcohol and wear a continuous alcohol monitoring  
14 device to verify compliance for 365 days after imprisonment.

15 (d-5) Any person convicted of a fifteenth or subsequent  
16 violation of this Section is guilty of a Class 2 felony, and is  
17 not eligible for probation or conditional discharge, if the  
18 revocation or suspension was for a violation of Section 11-401  
19 ~~or 11-501~~ of this Code, or a similar out-of-state offense, or a  
20 similar provision of a local ordinance, ~~or a statutory summary~~  
21 ~~suspension under Section 11-501.1 of this Code.~~

22 (d-7) Any person convicted of a fifteenth or subsequent  
23 violation of this Section is guilty of a Class 2 felony, and is  
24 not eligible for probation or conditional discharge, if the  
25 revocation or suspension was for a violation of Section 11-501  
26 of this Code, or a similar out-of-state offense, or a similar

1 provision of a local ordinance, or a statutory summary  
2 suspension under Section 11-501.1 of this Code. Upon release,  
3 the person shall abstain from consuming alcohol and wear a  
4 continuous alcohol monitoring device to verify compliance for  
5 365 days after imprisonment.

6 (e) Any person in violation of this Section who is also in  
7 violation of Section 7-601 of this Code relating to mandatory  
8 insurance requirements, in addition to other penalties imposed  
9 under this Section, shall have his or her motor vehicle  
10 immediately impounded by the arresting law enforcement  
11 officer. The motor vehicle may be released to any licensed  
12 driver upon a showing of proof of insurance for the vehicle  
13 that was impounded and the notarized written consent for the  
14 release by the vehicle owner.

15 (f) For any prosecution under this Section, a certified  
16 copy of the driving abstract of the defendant shall be admitted  
17 as proof of any prior conviction.

18 (g) The motor vehicle used in a violation of this Section  
19 is subject to seizure and forfeiture as provided in Sections  
20 36-1 and 36-2 of the Criminal Code of 1961 if the person's  
21 driving privilege was revoked or suspended as a result of a  
22 violation listed in paragraph (1), (2), or (3) of subsection  
23 (c) of this Section or as a result of a summary suspension as  
24 provided in paragraph (4) of subsection (c) of this Section.

25 (h) For the purposes of this Section, "continuous alcohol  
26 monitoring device" means a device that automatically tests

1 breath, blood, or transdermal alcohol concentration levels at  
2 least once every hour and detects tamper attempts, regardless  
3 of the location of the person who is being monitored, and  
4 regularly transmits such data. A person required to wear a  
5 continuous alcohol monitoring device under this Section is  
6 responsible for all costs of the device.

7 (Source: P.A. 94-112, eff. 1-1-06; 95-27, eff. 1-1-08; 95-377,  
8 eff. 1-1-08; 95-400, eff. 1-1-09; 95-578, eff. 6-1-08; 95-876,  
9 eff. 8-21-08; 95-991, eff. 6-1-09.)

10 Section 95. No acceleration or delay. Where this Act makes  
11 changes in a statute that is represented in this Act by text  
12 that is not yet or no longer in effect (for example, a Section  
13 represented by multiple versions), the use of that text does  
14 not accelerate or delay the taking effect of (i) the changes  
15 made by this Act or (ii) provisions derived from any other  
16 Public Act."