

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 Unified Code of Corrections is amended by
5 changing Sections 5-9-1.1 and 5-9-1.1-5 as follows:

6 (730 ILCS 5/5-9-1.1) (from Ch. 38, par. 1005-9-1.1)

7 (Text of Section from P.A. 94-550)

8 Sec. 5-9-1.1. Drug related offenses.

9 (a) When a person has been adjudged guilty of a drug
10 related offense involving possession or delivery of cannabis or
11 possession or delivery of a controlled substance, other than
12 methamphetamine, as defined in the Cannabis Control Act, as
13 amended, or the Illinois Controlled Substances Act, as amended,
14 in addition to any other penalty imposed, a fine shall be
15 levied by the court at not less than the full street value of
16 the cannabis or controlled substances seized.

17 "Street value" shall be determined by the court on the
18 basis of testimony of law enforcement personnel and the
19 defendant as to the amount seized and such testimony as may be
20 required by the court as to the current street value of the
21 cannabis or controlled substance seized.

22 (b) In addition to any penalty imposed under subsection (a)
23 of this Section, a fine of \$100 shall be levied by the court,

1 the proceeds of which shall be collected by the Circuit Clerk
2 and remitted to the State Treasurer under Section 27.6 of the
3 Clerks of Courts Act for deposit into the Trauma Center Fund
4 for distribution as provided under Section 3.225 of the
5 Emergency Medical Services (EMS) Systems Act.

6 (c) In addition to any penalty imposed under subsection (a)
7 of this Section, a fee of \$5 shall be assessed by the court,
8 the proceeds of which shall be collected by the Circuit Clerk
9 and remitted to the State Treasurer under Section 27.6 of the
10 Clerks of Courts Act for deposit into the Spinal Cord Injury
11 Paralysis Cure Research Trust Fund. This additional fee of \$5
12 shall not be considered a part of the fine for purposes of any
13 reduction in the fine for time served either before or after
14 sentencing.

15 (d) In addition to any penalty imposed under subsection (a)
16 of this Section, a \$25 assessment shall be assessed by the
17 court, the proceeds of which shall be collected by the Circuit
18 Clerk and remitted to the State Treasurer for deposit into the
19 State Police Services Fund and shall be used for grants by the
20 Department of State Police to drug task forces and Metropolitan
21 Enforcement Groups in accordance with the Intergovernmental
22 Drug Laws Enforcement Act.

23 (Source: P.A. 94-550, eff. 1-1-06.)

24 (Text of Section from P.A. 94-556)

25 Sec. 5-9-1.1. Drug related offenses.

1 (a) When a person has been adjudged guilty of a drug
2 related offense involving possession or delivery of cannabis or
3 possession or delivery of a controlled substance as defined in
4 the Cannabis Control Act, the Illinois Controlled Substances
5 Act, or the Methamphetamine Control and Community Protection
6 Act, in addition to any other penalty imposed, a fine shall be
7 levied by the court at not less than the full street value of
8 the cannabis or controlled substances seized.

9 "Street value" shall be determined by the court on the
10 basis of testimony of law enforcement personnel and the
11 defendant as to the amount seized and such testimony as may be
12 required by the court as to the current street value of the
13 cannabis or controlled substance seized.

14 (b) In addition to any penalty imposed under subsection (a)
15 of this Section, a fine of \$100 shall be levied by the court,
16 the proceeds of which shall be collected by the Circuit Clerk
17 and remitted to the State Treasurer under Section 27.6 of the
18 Clerks of Courts Act for deposit into the Trauma Center Fund
19 for distribution as provided under Section 3.225 of the
20 Emergency Medical Services (EMS) Systems Act.

21 (c) In addition to any penalty imposed under subsection (a)
22 of this Section, a fee of \$5 shall be assessed by the court,
23 the proceeds of which shall be collected by the Circuit Clerk
24 and remitted to the State Treasurer under Section 27.6 of the
25 Clerks of Courts Act for deposit into the Spinal Cord Injury
26 Paralysis Cure Research Trust Fund. This additional fee of \$5

1 shall not be considered a part of the fine for purposes of any
2 reduction in the fine for time served either before or after
3 sentencing.

4 (d) In addition to any penalty imposed under subsection (a)
5 of this Section, a \$25 assessment shall be assessed by the
6 court, the proceeds of which shall be collected by the Circuit
7 Clerk and remitted to the State Treasurer for deposit into the
8 State Police Services Fund and shall be used for grants by the
9 Department of State Police to drug task forces and Metropolitan
10 Enforcement Groups in accordance with the Intergovernmental
11 Drug Laws Enforcement Act.

12 (Source: P.A. 94-556, eff. 9-11-05.)

13 (730 ILCS 5/5-9-1.1-5)

14 Sec. 5-9-1.1-5. Methamphetamine related offenses.

15 (a) When a person has been adjudged guilty of a
16 methamphetamine related offense involving possession or
17 delivery of methamphetamine or any salt of an optical isomer of
18 methamphetamine or possession of a methamphetamine
19 manufacturing chemical set forth in paragraph (z-1) of Section
20 102 of the Illinois Controlled Substances Act with the intent
21 to manufacture a substance containing methamphetamine or salt
22 of an optical isomer of methamphetamine, in addition to any
23 other penalty imposed, a fine shall be levied by the court at
24 not less than the full street value of the methamphetamine or
25 salt of an optical isomer of methamphetamine or methamphetamine

1 manufacturing chemicals seized.

2 "Street value" shall be determined by the court on the
3 basis of testimony of law enforcement personnel and the
4 defendant as to the amount seized and such testimony as may be
5 required by the court as to the current street value of the
6 methamphetamine or salt of an optical isomer of methamphetamine
7 or methamphetamine manufacturing chemicals seized.

8 (b) In addition to any penalty imposed under subsection (a)
9 of this Section, a fine of \$100 shall be levied by the court,
10 the proceeds of which shall be collected by the Circuit Clerk
11 and remitted to the State Treasurer under Section 27.6 of the
12 Clerks of Courts Act for deposit into the Methamphetamine Law
13 Enforcement Fund and allocated as provided in subsection (d) of
14 Section 5-9-1.2.

15 (c) In addition to any penalty imposed under subsection (a)
16 of this Section, a \$25 assessment shall be assessed by the
17 court, the proceeds of which shall be collected by the Circuit
18 Clerk and remitted to the State Treasurer for deposit into the
19 State Police Services Fund and shall be used for grants by the
20 Department of State Police to drug task forces and Metropolitan
21 Enforcement Groups in accordance with the Intergovernmental
22 Drug Laws Enforcement Act.

23 (Source: P.A. 94-550, eff. 1-1-06.)