

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, 96-132, 96-402, 96-1234,  
8 and 97-545)

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

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

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

23 (b) In addition to any penalty imposed under subsection (a)

1 of this Section, a fine of \$100 shall be levied by the court,  
2 the proceeds of which shall be collected by the Circuit Clerk  
3 and remitted to the State Treasurer under Section 27.6 of the  
4 Clerks of Courts Act for deposit into the Trauma Center Fund  
5 for distribution as provided under Section 3.225 of the  
6 Emergency Medical Services (EMS) Systems Act.

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

16 (d) In addition to any penalty imposed under subsection (a)  
17 of this Section for a drug related offense involving possession  
18 or delivery of cannabis or possession or delivery of a  
19 controlled substance as defined in the Cannabis Control Act,  
20 the Illinois Controlled Substances Act, or the Methamphetamine  
21 Control and Community Protection Act, a fee of \$50 shall be  
22 assessed by the court, the proceeds of which shall be collected  
23 by the Circuit Clerk and remitted to the State Treasurer under  
24 Section 27.6 of the Clerks of Courts Act for deposit into the  
25 Performance-enhancing Substance Testing Fund. This additional  
26 fee of \$50 shall not be considered a part of the fine for

1 purposes of any reduction in the fine for time served either  
2 before or after sentencing. The provisions of this subsection  
3 (d), other than this sentence, are inoperative after June 30,  
4 2011.

5 (e) In addition to any penalty imposed under subsection (a)  
6 of this Section, a \$25 assessment shall be assessed by the  
7 court, the proceeds of which shall be collected by the Circuit  
8 Clerk and remitted to the State Treasurer for deposit into the  
9 Criminal Justice Information Projects Fund ~~Drug Traffic~~  
10 ~~Prevention Fund~~. The moneys deposited into the Criminal Justice  
11 Information Projects Fund ~~Drug Traffic Prevention Fund~~  
12 ~~pursuant to~~ this Section shall be appropriated to and  
13 administered by the Illinois Criminal Justice Information  
14 Authority ~~Department of State Police~~ for funding of drug task  
15 forces and Metropolitan Enforcement Groups ~~in accordance with~~  
16 ~~the Intergovernmental Drug Laws Enforcement Act~~.

17 (f) In addition to any penalty imposed under subsection (a)  
18 of this Section, a \$20 assessment shall be assessed by the  
19 court, the proceeds of which shall be collected by the Circuit  
20 Clerk. Of the collected proceeds, (i) 90% shall be remitted to  
21 the State Treasurer for deposit into the Prescription Pill and  
22 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into  
23 the Criminal Justice Information Projects Fund, for use by the  
24 Illinois Criminal Justice Information Authority for the costs  
25 associated with making grants from the Prescription Pill and  
26 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%

1 for deposit into the Circuit Court Clerk Operation and  
2 Administrative Fund for the costs associated with  
3 administering this subsection.

4 (Source: P.A. 96-132, eff. 8-7-09; 96-402, eff. 1-1-10;  
5 96-1234, eff. 7-23-10; 97-545, eff. 1-1-12; revised 9-14-11.)

6 (Text of Section from P.A. 94-556, 96-132, 96-402, 96-1234,  
7 and 97-545)

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 as defined in  
12 the Cannabis Control Act, the Illinois Controlled Substances  
13 Act, or the Methamphetamine Control and Community Protection  
14 Act, 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,  
24 the proceeds of which shall be collected by the Circuit Clerk  
25 and remitted to the State Treasurer under Section 27.6 of the

1 Clerks of Courts Act for deposit into the Trauma Center Fund  
2 for distribution as provided under Section 3.225 of the  
3 Emergency Medical Services (EMS) Systems Act.

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

13 (d) In addition to any penalty imposed under subsection (a)  
14 of this Section for a drug related offense involving possession  
15 or delivery of cannabis or possession or delivery of a  
16 controlled substance as defined in the Cannabis Control Act,  
17 the Illinois Controlled Substances Act, or the Methamphetamine  
18 Control and Community Protection Act, a fee of \$50 shall be  
19 assessed by the court, the proceeds of which shall be collected  
20 by the Circuit Clerk and remitted to the State Treasurer under  
21 Section 27.6 of the Clerks of Courts Act for deposit into the  
22 Performance-enhancing Substance Testing Fund. This additional  
23 fee of \$50 shall not be considered a part of the fine for  
24 purposes of any reduction in the fine for time served either  
25 before or after sentencing. The provisions of this subsection  
26 (d), other than this sentence, are inoperative after June 30,

1 2011.

2 (e) In addition to any penalty imposed under subsection (a)  
3 of this Section, a \$25 assessment shall be assessed by the  
4 court, the proceeds of which shall be collected by the Circuit  
5 Clerk and remitted to the State Treasurer for deposit into the  
6 Criminal Justice Information Projects Fund ~~Drug Traffic~~  
7 ~~Prevention Fund~~. The moneys deposited into the Criminal Justice  
8 Information Projects Fund ~~under Drug Traffic Prevention Fund~~  
9 ~~pursuant to~~ this Section shall be appropriated to and  
10 administered by the Illinois Criminal Justice Information  
11 Authority ~~Department of State Police~~ for funding of drug task  
12 forces and Metropolitan Enforcement Groups ~~in accordance with~~  
13 ~~the Intergovernmental Drug Laws Enforcement Act~~.

14 (f) In addition to any penalty imposed under subsection (a)  
15 of this Section, a \$20 assessment shall be assessed by the  
16 court, the proceeds of which shall be collected by the Circuit  
17 Clerk. Of the collected proceeds, (i) 90% shall be remitted to  
18 the State Treasurer for deposit into the Prescription Pill and  
19 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into  
20 the Criminal Justice Information Projects Fund, for use by the  
21 Illinois Criminal Justice Information Authority for the costs  
22 associated with making grants from the Prescription Pill and  
23 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%  
24 for deposit into the Circuit Court Clerk Operation and  
25 Administrative Fund for the costs associated with  
26 administering this subsection.

1 (Source: P.A. 96-132, eff. 8-7-09; 96-402, eff. 1-1-10;  
2 96-1234, eff. 7-23-10; 97-545, eff. 1-1-12; revised 9-14-11.)

3 (730 ILCS 5/5-9-1.1-5)

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

5 (a) When a person has been adjudged guilty of a  
6 methamphetamine related offense involving possession or  
7 delivery of methamphetamine or any salt of an optical isomer of  
8 methamphetamine or possession of a methamphetamine  
9 manufacturing material as set forth in Section 10 of the  
10 Methamphetamine Control and Community Protection Act with the  
11 intent to manufacture a substance containing methamphetamine  
12 or salt of an optical isomer of methamphetamine, in addition to  
13 any other penalty imposed, a fine shall be levied by the court  
14 at not less than the full street value of the methamphetamine  
15 or salt of an optical isomer of methamphetamine or  
16 methamphetamine manufacturing materials 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 methamphetamine or salt of an optical isomer of methamphetamine  
22 or methamphetamine manufacturing materials seized.

23 (b) In addition to any penalty imposed under subsection (a)  
24 of this Section, a fine of \$100 shall be levied by the court,  
25 the proceeds of which shall be collected by the Circuit Clerk

1 and remitted to the State Treasurer under Section 27.6 of the  
2 Clerks of Courts Act for deposit into the Methamphetamine Law  
3 Enforcement Fund and allocated as provided in subsection (d) of  
4 Section 5-9-1.2.

5 (c) In addition to any penalty imposed under subsection (a)  
6 of this Section, a \$25 assessment shall be assessed by the  
7 court, the proceeds of which shall be collected by the Circuit  
8 Clerk and remitted to the State Treasurer for deposit into the  
9 Criminal Justice Information Projects Fund ~~Drug Traffic~~  
10 ~~Prevention Fund~~. The moneys deposited into the Criminal Justice  
11 Information Projects Fund ~~Drug Traffic Prevention Fund~~  
12 ~~pursuant to~~ this Section shall be appropriated to and  
13 administered by the Illinois Criminal Justice Information  
14 Authority ~~Department of State Police~~ for funding of drug task  
15 forces and Metropolitan Enforcement Groups ~~in accordance with~~  
16 ~~the Intergovernmental Drug Laws Enforcement Act~~.

17 (d) In addition to any penalty imposed under subsection (a)  
18 of this Section, a \$20 assessment shall be assessed by the  
19 court, the proceeds of which shall be collected by the Circuit  
20 Clerk. Of the collected proceeds, (i) 90% shall be remitted to  
21 the State Treasurer for deposit into the Prescription Pill and  
22 Drug Disposal Fund; (ii) 5% shall be remitted for deposit into  
23 the Criminal Justice Information Projects Fund, for use by the  
24 Illinois Criminal Justice Information Authority for the costs  
25 associated with making grants from the Prescription Pill and  
26 Drug Disposal Fund; and (iii) the Circuit Clerk shall retain 5%



1 for deposit into the Circuit Court Clerk Operation and  
2 Administrative Fund for the costs associated with  
3 administering this subsection.

4 (Source: P.A. 96-200, eff. 8-10-09; 96-402, eff. 1-1-10;  
5 96-1000, eff. 7-2-10; 96-1234, eff. 7-23-10; 97-545, eff.  
6 1-1-12.)

7 Section 99. Effective date. This Act takes effect July 1,  
8 2013.