

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 Illinois Controlled Substances Act is
5 amended by changing Section 411 as follows:

6 (720 ILCS 570/411) (from Ch. 56 1/2, par. 1411)

7 Sec. 411. In determining the appropriate sentence for any
8 conviction under this Act, the sentencing court may consider
9 the following as indicative of the type of offenses which the
10 legislature deems most damaging to the peace and welfare of the
11 citizens of Illinois and which warrants the most severe
12 penalties:

13 (1) the unlawful delivery of the most highly toxic
14 controlled substances, as reflected by their inclusion in
15 Schedule I or II of this Act;

16 (2) offenses involving unusually large quantities of
17 controlled substances, as measured by their wholesale
18 value at the time of the offense;

19 (3) the unlawful delivery of controlled substances by a
20 non-user to a user of controlled substances;

21 (4) non-possession offenses by persons who have no
22 other visible means of support;

23 (5) offenses involving the large-scale manufacture of

1 controlled substances;

2 (6) offenses which indicate any immediate involvement
3 whatsoever with organized crime in terms of the controlled
4 substance's manufacture, importation, or volume
5 distribution;

6 (7) the manufacture for, or the delivery of controlled
7 substances to persons 3 years or more junior to the
8 person(s) convicted under this Act;

9 (8) the unlawful delivery of anabolic steroids by an
10 athletic trainer, coach, or health club personnel;

11 (9) the possession, delivery, or manufacture of
12 controlled substances or cannabis in the presence of a
13 child under 17 years of age;~~;~~

14 (10) the transportation of controlled substances from
15 one county in this State into another county in this State
16 or from one state into this State.

17 Nothing in this section shall be construed as limiting in
18 any way the discretion of the court to impose any sentence
19 authorized by this Act.

20 (Source: P.A. 94-172, eff. 1-1-06.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.