

# SB3409



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB3409

Introduced 2/8/2024, by Sen. Julie A. Morrison

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-501  
625 ILCS 5/11-501.2

from Ch. 95 1/2, par. 11-501  
from Ch. 95 1/2, par. 11-501.2

Amends the Illinois Vehicle Code. Provides that a person shall not drive or be in actual physical control of any vehicle within this State while the person has, within 2 hours of driving or being in actual physical control of a vehicle, a free tetrahydrocannabinol concentration in the person's whole blood or other bodily substances of 5 nanograms or more per milliliter in whole blood or 10 nanograms or more per milliliter in any other bodily substance (currently, this provision does not specify whether the concentration is a free concentration). Makes technical changes.

LRB103 36849 MXP 66961 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 11-501 and 11-501.2 as follows:

6 (625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

7 Sec. 11-501. Driving while under the influence of alcohol,  
8 other drug or drugs, intoxicating compound or compounds or any  
9 combination thereof.

10 (a) A person shall not drive or be in actual physical  
11 control of any vehicle within this State while:

12 (1) the alcohol concentration in the person's blood,  
13 other bodily substance, or breath is 0.08 or more based on  
14 the definition of blood and breath units in Section  
15 11-501.2;

16 (2) under the influence of alcohol;

17 (3) under the influence of any intoxicating compound  
18 or combination of intoxicating compounds to a degree that  
19 renders the person incapable of driving safely;

20 (4) under the influence of any other drug or  
21 combination of drugs to a degree that renders the person  
22 incapable of safely driving;

23 (5) under the combined influence of alcohol, other

1 drug or drugs, or intoxicating compound or compounds to a  
2 degree that renders the person incapable of safely  
3 driving;

4 (6) there is any amount of a drug, substance, or  
5 compound in the person's breath, blood, other bodily  
6 substance, or urine resulting from the unlawful use or  
7 consumption of a controlled substance listed in the  
8 Illinois Controlled Substances Act, an intoxicating  
9 compound listed in the Use of Intoxicating Compounds Act,  
10 or methamphetamine as listed in the Methamphetamine  
11 Control and Community Protection Act; or

12 (7) the person has, within 2 hours of driving or being  
13 in actual physical control of a vehicle, a free  
14 tetrahydrocannabinol concentration of 5 nanograms or more  
15 per milliliter in whole blood or 10 nanograms or more per  
16 milliliter in any other bodily substance ~~in the person's~~  
17 ~~whole blood or other bodily substance as defined in~~  
18 ~~paragraph 6 of subsection (a) of Section 11 501.2 of this~~  
19 ~~Code~~. Subject to all other requirements and provisions  
20 under this Section, this paragraph (7) does not apply to  
21 the lawful consumption of cannabis by a qualifying patient  
22 licensed under the Compassionate Use of Medical Cannabis  
23 Program Act who is in possession of a valid registry card  
24 issued under that Act, unless that person is impaired by  
25 the use of cannabis.

26 As used in this subsection (a), "free tetrahydrocannabinol

1 concentration" means the amount of unchanged, parent  
2 delta-9-tetrahydrocannabinol detected in a blood or bodily  
3 fluid sample.

4 (b) The fact that any person charged with violating this  
5 Section is or has been legally entitled to use alcohol,  
6 cannabis under the Compassionate Use of Medical Cannabis  
7 Program Act, other drug or drugs, or intoxicating compound or  
8 compounds, or any combination thereof, shall not constitute a  
9 defense against any charge of violating this Section.

10 (c) Penalties.

11 (1) Except as otherwise provided in this Section, any  
12 person convicted of violating subsection (a) of this  
13 Section is guilty of a Class A misdemeanor.

14 (2) A person who violates subsection (a) or a similar  
15 provision a second time shall be sentenced to a mandatory  
16 minimum term of either 5 days of imprisonment or 240 hours  
17 of community service in addition to any other criminal or  
18 administrative sanction.

19 (3) A person who violates subsection (a) is subject to  
20 6 months of imprisonment, an additional mandatory minimum  
21 fine of \$1,000, and 25 days of community service in a  
22 program benefiting children if the person was transporting  
23 a person under the age of 16 at the time of the violation.

24 (4) A person who violates subsection (a) a first time,  
25 if the alcohol concentration in his or her blood, breath,  
26 other bodily substance, or urine was 0.16 or more based on

1 the definition of blood, breath, other bodily substance,  
2 or urine units in Section 11-501.2, shall be subject, in  
3 addition to any other penalty that may be imposed, to a  
4 mandatory minimum of 100 hours of community service and a  
5 mandatory minimum fine of \$500.

6 (5) A person who violates subsection (a) a second  
7 time, if at the time of the second violation the alcohol  
8 concentration in his or her blood, breath, other bodily  
9 substance, or urine was 0.16 or more based on the  
10 definition of blood, breath, other bodily substance, or  
11 urine units in Section 11-501.2, shall be subject, in  
12 addition to any other penalty that may be imposed, to a  
13 mandatory minimum of 2 days of imprisonment and a  
14 mandatory minimum fine of \$1,250.

15 (d) Aggravated driving under the influence of alcohol,  
16 other drug or drugs, or intoxicating compound or compounds, or  
17 any combination thereof.

18 (1) Every person convicted of committing a violation  
19 of this Section shall be guilty of aggravated driving  
20 under the influence of alcohol, other drug or drugs, or  
21 intoxicating compound or compounds, or any combination  
22 thereof if:

23 (A) the person committed a violation of subsection  
24 (a) or a similar provision for the third or subsequent  
25 time;

26 (B) the person committed a violation of subsection

1 (a) while driving a school bus with one or more  
2 passengers on board;

3 (C) the person in committing a violation of  
4 subsection (a) was involved in a motor vehicle crash  
5 that resulted in great bodily harm or permanent  
6 disability or disfigurement to another, when the  
7 violation was a proximate cause of the injuries;

8 (D) the person committed a violation of subsection  
9 (a) and has been previously convicted of violating  
10 Section 9-3 of the Criminal Code of 1961 or the  
11 Criminal Code of 2012 or a similar provision of a law  
12 of another state relating to reckless homicide in  
13 which the person was determined to have been under the  
14 influence of alcohol, other drug or drugs, or  
15 intoxicating compound or compounds as an element of  
16 the offense or the person has previously been  
17 convicted under subparagraph (C) or subparagraph (F)  
18 of this paragraph (1);

19 (E) the person, in committing a violation of  
20 subsection (a) while driving at any speed in a school  
21 speed zone at a time when a speed limit of 20 miles per  
22 hour was in effect under subsection (a) of Section  
23 11-605 of this Code, was involved in a motor vehicle  
24 crash that resulted in bodily harm, other than great  
25 bodily harm or permanent disability or disfigurement,  
26 to another person, when the violation of subsection

1 (a) was a proximate cause of the bodily harm;

2 (F) the person, in committing a violation of  
3 subsection (a), was involved in a motor vehicle crash  
4 or snowmobile, all-terrain vehicle, or watercraft  
5 accident that resulted in the death of another person,  
6 when the violation of subsection (a) was a proximate  
7 cause of the death;

8 (G) the person committed a violation of subsection  
9 (a) during a period in which the defendant's driving  
10 privileges are revoked or suspended, where the  
11 revocation or suspension was for a violation of  
12 subsection (a) or a similar provision, Section  
13 11-501.1, paragraph (b) of Section 11-401, or for  
14 reckless homicide as defined in Section 9-3 of the  
15 Criminal Code of 1961 or the Criminal Code of 2012;

16 (H) the person committed the violation while he or  
17 she did not possess a driver's license or permit or a  
18 restricted driving permit or a judicial driving permit  
19 or a monitoring device driving permit;

20 (I) the person committed the violation while he or  
21 she knew or should have known that the vehicle he or  
22 she was driving was not covered by a liability  
23 insurance policy;

24 (J) the person in committing a violation of  
25 subsection (a) was involved in a motor vehicle crash  
26 that resulted in bodily harm, but not great bodily

1           harm, to the child under the age of 16 being  
2           transported by the person, if the violation was the  
3           proximate cause of the injury;

4           (K) the person in committing a second violation of  
5           subsection (a) or a similar provision was transporting  
6           a person under the age of 16; or

7           (L) the person committed a violation of subsection  
8           (a) of this Section while transporting one or more  
9           passengers in a vehicle for-hire.

10          (2) (A) Except as provided otherwise, a person  
11          convicted of aggravated driving under the influence of  
12          alcohol, other drug or drugs, or intoxicating compound or  
13          compounds, or any combination thereof is guilty of a Class  
14          4 felony.

15          (B) A third violation of this Section or a similar  
16          provision is a Class 2 felony. If at the time of the third  
17          violation the alcohol concentration in his or her blood,  
18          breath, other bodily substance, or urine was 0.16 or more  
19          based on the definition of blood, breath, other bodily  
20          substance, or urine units in Section 11-501.2, a mandatory  
21          minimum of 90 days of imprisonment and a mandatory minimum  
22          fine of \$2,500 shall be imposed in addition to any other  
23          criminal or administrative sanction. If at the time of the  
24          third violation, the defendant was transporting a person  
25          under the age of 16, a mandatory fine of \$25,000 and 25  
26          days of community service in a program benefiting children



1 shall be imposed in addition to any other criminal or  
2 administrative sanction.

3 (C) A fourth violation of this Section or a similar  
4 provision is a Class 2 felony, for which a sentence of  
5 probation or conditional discharge may not be imposed. If  
6 at the time of the violation, the alcohol concentration in  
7 the defendant's blood, breath, other bodily substance, or  
8 urine was 0.16 or more based on the definition of blood,  
9 breath, other bodily substance, or urine units in Section  
10 11-501.2, a mandatory minimum fine of \$5,000 shall be  
11 imposed in addition to any other criminal or  
12 administrative sanction. If at the time of the fourth  
13 violation, the defendant was transporting a person under  
14 the age of 16 a mandatory fine of \$25,000 and 25 days of  
15 community service in a program benefiting children shall  
16 be imposed in addition to any other criminal or  
17 administrative sanction.

18 (D) A fifth violation of this Section or a similar  
19 provision is a Class 1 felony, for which a sentence of  
20 probation or conditional discharge may not be imposed. If  
21 at the time of the violation, the alcohol concentration in  
22 the defendant's blood, breath, other bodily substance, or  
23 urine was 0.16 or more based on the definition of blood,  
24 breath, other bodily substance, or urine units in Section  
25 11-501.2, a mandatory minimum fine of \$5,000 shall be  
26 imposed in addition to any other criminal or

1 administrative sanction. If at the time of the fifth  
2 violation, the defendant was transporting a person under  
3 the age of 16, a mandatory fine of \$25,000, and 25 days of  
4 community service in a program benefiting children shall  
5 be imposed in addition to any other criminal or  
6 administrative sanction.

7 (E) A sixth or subsequent violation of this Section or  
8 similar provision is a Class X felony. If at the time of  
9 the violation, the alcohol concentration in the  
10 defendant's blood, breath, other bodily substance, or  
11 urine was 0.16 or more based on the definition of blood,  
12 breath, other bodily substance, or urine units in Section  
13 11-501.2, a mandatory minimum fine of \$5,000 shall be  
14 imposed in addition to any other criminal or  
15 administrative sanction. If at the time of the violation,  
16 the defendant was transporting a person under the age of  
17 16, a mandatory fine of \$25,000 and 25 days of community  
18 service in a program benefiting children shall be imposed  
19 in addition to any other criminal or administrative  
20 sanction.

21 (F) For a violation of subparagraph (C) of paragraph  
22 (1) of this subsection (d), the defendant, if sentenced to  
23 a term of imprisonment, shall be sentenced to not less  
24 than one year nor more than 12 years.

25 (G) A violation of subparagraph (F) of paragraph (1)  
26 of this subsection (d) is a Class 2 felony, for which the

1 defendant, unless the court determines that extraordinary  
2 circumstances exist and require probation, shall be  
3 sentenced to: (i) a term of imprisonment of not less than 3  
4 years and not more than 14 years if the violation resulted  
5 in the death of one person; or (ii) a term of imprisonment  
6 of not less than 6 years and not more than 28 years if the  
7 violation resulted in the deaths of 2 or more persons.

8 (H) For a violation of subparagraph (J) of paragraph  
9 (1) of this subsection (d), a mandatory fine of \$2,500,  
10 and 25 days of community service in a program benefiting  
11 children shall be imposed in addition to any other  
12 criminal or administrative sanction.

13 (I) A violation of subparagraph (K) of paragraph (1)  
14 of this subsection (d), is a Class 2 felony and a mandatory  
15 fine of \$2,500, and 25 days of community service in a  
16 program benefiting children shall be imposed in addition  
17 to any other criminal or administrative sanction. If the  
18 child being transported suffered bodily harm, but not  
19 great bodily harm, in a motor vehicle crash, and the  
20 violation was the proximate cause of that injury, a  
21 mandatory fine of \$5,000 and 25 days of community service  
22 in a program benefiting children shall be imposed in  
23 addition to any other criminal or administrative sanction.

24 (J) A violation of subparagraph (D) of paragraph (1)  
25 of this subsection (d) is a Class 3 felony, for which a  
26 sentence of probation or conditional discharge may not be

1 imposed.

2 (3) Any person sentenced under this subsection (d) who  
3 receives a term of probation or conditional discharge must  
4 serve a minimum term of either 480 hours of community  
5 service or 10 days of imprisonment as a condition of the  
6 probation or conditional discharge in addition to any  
7 other criminal or administrative sanction.

8 (e) Any reference to a prior violation of subsection (a)  
9 or a similar provision includes any violation of a provision  
10 of a local ordinance or a provision of a law of another state  
11 or an offense committed on a military installation that is  
12 similar to a violation of subsection (a) of this Section.

13 (f) The imposition of a mandatory term of imprisonment or  
14 assignment of community service for a violation of this  
15 Section shall not be suspended or reduced by the court.

16 (g) Any penalty imposed for driving with a license that  
17 has been revoked for a previous violation of subsection (a) of  
18 this Section shall be in addition to the penalty imposed for  
19 any subsequent violation of subsection (a).

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

23 (Source: P.A. 101-363, eff. 8-9-19; 102-982, eff. 7-1-23.)

24 (625 ILCS 5/11-501.2) (from Ch. 95 1/2, par. 11-501.2)

25 Sec. 11-501.2. Chemical and other tests.

1           (a) Upon the trial of any civil or criminal action or  
2 proceeding arising out of an arrest for an offense as defined  
3 in Section 11-501 or a similar local ordinance or proceedings  
4 pursuant to Section 2-118.1, evidence of the concentration of  
5 alcohol, other drug or drugs, or intoxicating compound or  
6 compounds, or any combination thereof in a person's blood or  
7 breath at the time alleged, as determined by analysis of the  
8 person's blood, urine, breath, or other bodily substance,  
9 shall be admissible. Where such test is made the following  
10 provisions shall apply:

11           1. Chemical analyses of the person's blood, urine,  
12 breath, or other bodily substance to be considered valid  
13 under the provisions of this Section shall have been  
14 performed according to standards promulgated by the  
15 Illinois State Police by a licensed physician, registered  
16 nurse, trained phlebotomist, licensed paramedic, or other  
17 individual possessing a valid permit issued by that  
18 Department for this purpose. The Director of the Illinois  
19 State Police is authorized to approve satisfactory  
20 techniques or methods, to ascertain the qualifications and  
21 competence of individuals to conduct such analyses, to  
22 issue permits which shall be subject to termination or  
23 revocation at the discretion of that Department and to  
24 certify the accuracy of breath testing equipment. The  
25 Illinois State Police shall prescribe regulations as  
26 necessary to implement this Section.

1           2. When a person in this State shall submit to a blood  
2           test at the request of a law enforcement officer under the  
3           provisions of Section 11-501.1, only a physician  
4           authorized to practice medicine, a licensed physician  
5           assistant, a licensed advanced practice registered nurse,  
6           a registered nurse, trained phlebotomist, or licensed  
7           paramedic, or other qualified person approved by the  
8           Illinois State Police may withdraw blood for the purpose  
9           of determining the alcohol, drug, or alcohol and drug  
10          content therein. This limitation shall not apply to the  
11          taking of breath, other bodily substance, or urine  
12          specimens.

13          When a blood test of a person who has been taken to an  
14          adjoining state for medical treatment is requested by an  
15          Illinois law enforcement officer, the blood may be  
16          withdrawn only by a physician authorized to practice  
17          medicine in the adjoining state, a licensed physician  
18          assistant, a licensed advanced practice registered nurse,  
19          a registered nurse, a trained phlebotomist acting under  
20          the direction of the physician, or licensed paramedic. The  
21          law enforcement officer requesting the test shall take  
22          custody of the blood sample, and the blood sample shall be  
23          analyzed by a laboratory certified by the Illinois State  
24          Police for that purpose.

25          3. The person tested may have a physician, or a  
26          qualified technician, chemist, registered nurse, or other

1 qualified person of their own choosing administer a  
2 chemical test or tests in addition to any administered at  
3 the direction of a law enforcement officer. The failure or  
4 inability to obtain an additional test by a person shall  
5 not preclude the admission of evidence relating to the  
6 test or tests taken at the direction of a law enforcement  
7 officer.

8 4. Upon the request of the person who shall submit to a  
9 chemical test or tests at the request of a law enforcement  
10 officer, full information concerning the test or tests  
11 shall be made available to the person or such person's  
12 attorney.

13 5. Alcohol concentration shall mean either grams of  
14 alcohol per 100 milliliters of blood or grams of alcohol  
15 per 210 liters of breath.

16 6. "Free tetrahydrocannabinol ~~Tetrahydrocannabinol~~  
17 concentration" means the amount of unchanged, parent  
18 delta-9-tetrahydrocannabinol detected in a blood or bodily  
19 fluid sample ~~either 5 nanograms or more of~~  
20 ~~delta-9-tetrahydrocannabinol per milliliter of whole blood~~  
21 ~~or 10 nanograms or more of delta-9-tetrahydrocannabinol~~  
22 ~~per milliliter of other bodily substance.~~

23 (a-5) Law enforcement officials may use validated roadside  
24 chemical tests or standardized field sobriety tests approved  
25 by the National Highway Traffic Safety Administration when  
26 conducting investigations of a violation of Section 11-501 or

1 similar local ordinance by drivers suspected of driving under  
2 the influence of cannabis. The General Assembly finds that (i)  
3 validated roadside chemical tests are effective means to  
4 determine if a person is under the influence of cannabis and  
5 (ii) standardized field sobriety tests approved by the  
6 National Highway Traffic Safety Administration are divided  
7 attention tasks that are intended to determine if a person is  
8 under the influence of cannabis. The purpose of these tests is  
9 to determine the effect of the use of cannabis on a person's  
10 capacity to think and act with ordinary care and therefore  
11 operate a motor vehicle safely. Therefore, the results of  
12 these validated roadside chemical tests and standardized field  
13 sobriety tests, appropriately administered, shall be  
14 admissible in the trial of any civil or criminal action or  
15 proceeding arising out of an arrest for a cannabis-related  
16 offense as defined in Section 11-501 or a similar local  
17 ordinance or proceedings under Section 2-118.1 or 2-118.2.  
18 Where a test is made the following provisions shall apply:

19 1. The person tested may have a physician, or a  
20 qualified technician, chemist, registered nurse, or other  
21 qualified person of their own choosing administer a  
22 chemical test or tests in addition to the standardized  
23 field sobriety test or tests administered at the direction  
24 of a law enforcement officer. The failure or inability to  
25 obtain an additional test by a person does not preclude  
26 the admission of evidence relating to the test or tests



1 taken at the direction of a law enforcement officer.

2 2. Upon the request of the person who shall submit to  
3 validated roadside chemical tests or a standardized field  
4 sobriety test or tests at the request of a law enforcement  
5 officer, full information concerning the test or tests  
6 shall be made available to the person or the person's  
7 attorney.

8 3. At the trial of any civil or criminal action or  
9 proceeding arising out of an arrest for an offense as  
10 defined in Section 11-501 or a similar local ordinance or  
11 proceedings under Section 2-118.1 or 2-118.2 in which the  
12 results of these validated roadside chemical tests or  
13 standardized field sobriety tests are admitted, the person  
14 may present and the trier of fact may consider evidence  
15 that the person lacked the physical capacity to perform  
16 the validated roadside chemical tests or standardized  
17 field sobriety tests.

18 (b) Upon the trial of any civil or criminal action or  
19 proceeding arising out of acts alleged to have been committed  
20 by any person while driving or in actual physical control of a  
21 vehicle while under the influence of alcohol, the  
22 concentration of alcohol in the person's blood or breath at  
23 the time alleged as shown by analysis of the person's blood,  
24 urine, breath, or other bodily substance shall give rise to  
25 the following presumptions:

26 1. If there was at that time an alcohol concentration

1 of 0.05 or less, it shall be presumed that the person was  
2 not under the influence of alcohol.

3 2. If there was at that time an alcohol concentration  
4 in excess of 0.05 but less than 0.08, such facts shall not  
5 give rise to any presumption that the person was or was not  
6 under the influence of alcohol, but such fact may be  
7 considered with other competent evidence in determining  
8 whether the person was under the influence of alcohol.

9 3. If there was at that time an alcohol concentration  
10 of 0.08 or more, it shall be presumed that the person was  
11 under the influence of alcohol.

12 4. The foregoing provisions of this Section shall not  
13 be construed as limiting the introduction of any other  
14 relevant evidence bearing upon the question whether the  
15 person was under the influence of alcohol.

16 (b-5) Upon the trial of any civil or criminal action or  
17 proceeding arising out of acts alleged to have been committed  
18 by any person while driving or in actual physical control of a  
19 vehicle while under the influence of alcohol, other drug or  
20 drugs, intoxicating compound or compounds or any combination  
21 thereof, the concentration of cannabis in the person's whole  
22 blood or other bodily substance at the time alleged as shown by  
23 analysis of the person's blood or other bodily substance shall  
24 give rise to the following presumptions:

25 1. If there was a free tetrahydrocannabinol  
26 concentration, as defined in this Section, of 5 nanograms

1 or more per milliliter in whole blood or 10 nanograms or  
2 more per milliliter in any ~~an~~ other bodily substance ~~as~~  
3 ~~defined in this Section~~, it shall be presumed that the  
4 person was under the influence of cannabis.

5 2. If there was at that time a free  
6 tetrahydrocannabinol concentration of less than 5  
7 nanograms per milliliter in whole blood or less than 10  
8 nanograms per milliliter in an other bodily substance,  
9 such facts shall not give rise to any presumption that the  
10 person was or was not under the influence of cannabis, but  
11 such fact may be considered with other competent evidence  
12 in determining whether the person was under the influence  
13 of cannabis.

14 (c) 1. If a person under arrest refuses to submit to a  
15 chemical test under the provisions of Section 11-501.1,  
16 evidence of refusal shall be admissible in any civil or  
17 criminal action or proceeding arising out of acts alleged to  
18 have been committed while the person under the influence of  
19 alcohol, other drug or drugs, or intoxicating compound or  
20 compounds, or any combination thereof was driving or in actual  
21 physical control of a motor vehicle.

22 2. Notwithstanding any ability to refuse under this Code  
23 to submit to these tests or any ability to revoke the implied  
24 consent to these tests, if a law enforcement officer has  
25 probable cause to believe that a motor vehicle driven by or in  
26 actual physical control of a person under the influence of

1 alcohol, other drug or drugs, or intoxicating compound or  
2 compounds, or any combination thereof has caused the death or  
3 personal injury to another, the law enforcement officer shall  
4 request, and that person shall submit, upon the request of a  
5 law enforcement officer, to a chemical test or tests of his or  
6 her blood, breath, other bodily substance, or urine for the  
7 purpose of determining the alcohol content thereof or the  
8 presence of any other drug or combination of both.

9 This provision does not affect the applicability of or  
10 imposition of driver's license sanctions under Section  
11 11-501.1 of this Code.

12 3. For purposes of this Section, a personal injury  
13 includes any Type A injury as indicated on the traffic crash  
14 report completed by a law enforcement officer that requires  
15 immediate professional attention in either a doctor's office  
16 or a medical facility. A Type A injury includes severe  
17 bleeding wounds, distorted extremities, and injuries that  
18 require the injured party to be carried from the scene.

19 (d) If a person refuses validated roadside chemical tests  
20 or standardized field sobriety tests under Section 11-501.9 of  
21 this Code, evidence of refusal shall be admissible in any  
22 civil or criminal action or proceeding arising out of acts  
23 committed while the person was driving or in actual physical  
24 control of a vehicle and alleged to have been impaired by the  
25 use of cannabis.

26 (e) Illinois State Police compliance with the changes in

1 this amendatory Act of the 99th General Assembly concerning  
2 testing of other bodily substances and tetrahydrocannabinol  
3 concentration by Illinois State Police laboratories is subject  
4 to appropriation and until the Illinois State Police adopt  
5 standards and completion validation. Any laboratories that  
6 test for the presence of cannabis or other drugs under this  
7 Article, the Snowmobile Registration and Safety Act, or the  
8 Boat Registration and Safety Act must comply with ISO/IEC  
9 17025:2005.

10 (Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21;  
11 102-982, eff. 7-1-23.)