

1 AN ACT in relation to drugs.

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

4 Section 5. The Cannabis Control Act is amended by
5 changing Section 5.2 as follows:

6 (720 ILCS 550/5.2) (from Ch. 56 1/2, par. 705.2)

7 Sec. 5.2. Delivery of cannabis on school grounds.

8 (a) Any person who violates subsection (e) of Section 5
9 in any school, on the real property comprising any school, or
10 any conveyance owned, leased or contracted by a school to
11 transport students to or from school or a school related
12 activity, or on any public way within 1,000 feet of the real
13 property comprising any school, or any conveyance owned,
14 leased or contracted by a school to transport students to or
15 from school or a school related activity, and any person who
16 violates subsection (e) of Section 5 on any public way within
17 1,000 feet of a school bus stop on a scheduled school day at
18 any time beginning one hour before the start of school and
19 ending one hour after the end of school, is guilty of a Class
20 1 felony, the fine for which shall not exceed \$200,000;

21 (b) Any person who violates subsection (d) of Section 5
22 in any school, on the real property comprising any school, or
23 any conveyance owned, leased or contracted by a school to
24 transport students to or from school or a school related
25 activity, or on any public way within 1,000 feet of the real
26 property comprising any school, or any conveyance owned,
27 leased or contracted by a school to transport students to or
28 from school or a school related activity, and any person who
29 violates subsection (d) of Section 5 on any public way within
30 1,000 feet of a school bus stop on a scheduled school day at
31 any time beginning one hour before the start of school and

1 ending one hour after the end of school, is guilty of a Class
2 felony, the fine for which shall not exceed \$100,000;

3 (c) Any person who violates subsection (c) of Section 5
4 in any school, on the real property comprising any school, or
5 any conveyance owned, leased or contracted by a school to
6 transport students to or from school or a school related
7 activity, or on any public way within 1,000 feet of the real
8 property comprising any school, or any conveyance owned,
9 leased or contracted by a school to transport students to or
10 from school or a school related activity, and any person who
11 violates subsection (c) of Section 5 on any public way within
12 1,000 feet of a school bus stop on a scheduled school day at
13 any time beginning one hour before the start of school and
14 ending one hour after the end of school, is guilty of a Class
15 3 felony, the fine for which shall not exceed \$50,000;

16 (d) Any person who violates subsection (b) of Section 5
17 in any school, on the real property comprising any school, or
18 any conveyance owned, leased or contracted by a school to
19 transport students to or from school or a school related
20 activity, or on any public way within 1,000 feet of the real
21 property comprising any school, or any conveyance owned,
22 leased or contracted by a school to transport students to or
23 from school or a school related activity, and any person who
24 violates subsection (b) of Section 5 on any public way within
25 1,000 feet of a school bus stop on a scheduled school day at
26 any time beginning one hour before the start of school and
27 ending one hour after the end of school, is guilty of a Class
28 4 felony, the fine for which shall not exceed \$25,000;

29 (e) Any person who violates subsection (a) of Section 5
30 in any school, on the real property comprising any school, or
31 any conveyance owned, leased or contracted by a school to
32 transport students to or from school or a school related
33 activity, on any public way within 1,000 feet of the real
34 property comprising any school, or any conveyance owned,

1 leased or contracted by a school to transport students to or
2 from school or a school related activity, and any person who
3 violates subsection (a) of Section 5 on any public way within
4 1,000 feet of a school bus stop on a scheduled school day at
5 any time beginning one hour before the start of school and
6 ending one hour after the end of school, is guilty of a Class
7 A misdemeanor.

8 (f) Any person who violates subsection (f) of Section 5
9 in any school, on the real property comprising any school, or
10 any conveyance owned, leased or contracted by a school to
11 transport students to or from school or a school related
12 activity, or on any public way within 1,000 feet of the real
13 property comprising any school, or any conveyance owned,
14 leased or contracted by a school to transport students to or
15 from school or a school related activity, and any person who
16 violates subsection (f) of Section 5 on any public way within
17 1,000 feet of a school bus stop on a scheduled school day at
18 any time beginning one hour before the start of school and
19 ending one hour after the end of school, is guilty of a Class
20 X felony, the fine for which shall not exceed \$250,000.

21 (g) Any person who violates subsection (g) of Section 5
22 in any school, on the real property comprising any school, or
23 any conveyance owned, leased or contracted by a school to
24 transport students to or from school or a school related
25 activity, or on any public way within 1,000 feet of the real
26 property comprising any school, or any conveyance owned,
27 leased or contracted by a school to transport students to or
28 from school or a school related activity, and any person who
29 violates subsection (g) of Section 5 on any public way within
30 1,000 feet of a school bus stop on a scheduled school day at
31 any time beginning one hour before the start of school and
32 ending one hour after the end of school, is guilty of a Class
33 X felony, the fine for which shall not exceed \$300,000.

34 (Source: P.A. 87-544.)

1 Section 10. The Illinois Controlled Substances Act is
2 amended by changing Section 407 as follows:

3 (720 ILCS 570/407) (from Ch. 56 1/2, par. 1407)

4 Sec. 407. (a) (1) Any person 18 years of age or over who
5 violates any subsection of Section 401 or subsection (b) of
6 Section 404 by delivering a controlled, counterfeit or
7 look-alike substance to a person under 18 years of age may be
8 sentenced to imprisonment for a term up to twice the maximum
9 term and fined an amount up to twice that amount otherwise
10 authorized by the pertinent subsection of Section 401 and
11 Subsection (b) of Section 404.

12 (2) Except as provided in paragraph (3) of this
13 subsection, any person who violates:

14 (A) subsection (c) of Section 401 by delivering or
15 possessing with intent to deliver a controlled,
16 counterfeit, or look-alike substance in or on, or within
17 1,000 feet of, a truck stop or safety rest area, is
18 guilty of a Class 1 felony, the fine for which shall not
19 exceed \$250,000;

20 (B) subsection (d) of Section 401 by delivering or
21 possessing with intent to deliver a controlled,
22 counterfeit, or look-alike substance in or on, or within
23 1,000 feet of, a truck stop or safety rest area, is
24 guilty of a Class 2 felony, the fine for which shall not
25 exceed \$200,000;

26 (C) subsection (e) of Section 401 or subsection (b)
27 of Section 404 by delivering or possessing with intent to
28 deliver a controlled, counterfeit, or look-alike
29 substance in or on, or within 1,000 feet of, a truck stop
30 or safety rest area, is guilty of a Class 3 felony, the
31 fine for which shall not exceed \$150,000;

32 (D) subsection (f) of Section 401 by delivering or
33 possessing with intent to deliver a controlled,

1 counterfeit, or look-alike substance in or on, or within
2 1,000 feet of, a truck stop or safety rest area, is
3 guilty of a Class 3 felony, the fine for which shall not
4 exceed \$125,000;

5 (E) subsection (g) of Section 401 by delivering or
6 possessing with intent to deliver a controlled,
7 counterfeit, or look-alike substance in or on, or within
8 1,000 feet of, a truck stop or safety rest area, is
9 guilty of a Class 3 felony, the fine for which shall not
10 exceed \$100,000;

11 (F) subsection (h) of Section 401 by delivering or
12 possessing with intent to deliver a controlled,
13 counterfeit, or look-alike substance in or on, or within
14 1,000 feet of, a truck stop or safety rest area, is
15 guilty of a Class 3 felony, the fine for which shall not
16 exceed \$75,000;

17 (3) Any person who violates paragraph (2) of this
18 subsection (a) by delivering or possessing with intent to
19 deliver a controlled, counterfeit, or look-alike substance in
20 or on, or within 1,000 feet of a truck stop or a safety rest
21 area, following a prior conviction or convictions of
22 paragraph (2) of this subsection (a) may be sentenced to a
23 term of imprisonment up to 2 times the maximum term and fined
24 an amount up to 2 times the amount otherwise authorized by
25 Section 401.

26 (4) For the purposes of this subsection (a):

27 (A) "Safety rest area" means a roadside facility
28 removed from the roadway with parking and facilities
29 designed for motorists' rest, comfort, and information
30 needs; and

31 (B) "Truck stop" means any facility (and its
32 parking areas) used to provide fuel or service, or both,
33 to any commercial motor vehicle as defined in Section
34 18b-101 of the Illinois Vehicle Code.

1 (b) Any person who violates:

2 (1) subsection (c) of Section 401 in any school, or
3 any conveyance owned, leased or contracted by a school to
4 transport students to or from school or a school related
5 activity, or on any public way within 1,000 feet of a
6 school bus stop on a scheduled school day at any time
7 beginning one hour before the start of school and ending
8 one hour after the end of school, or in residential
9 property owned, operated or managed by a public housing
10 agency or leased by a public housing agency as part of a
11 scattered site or mixed-income development, or public
12 park, on the real property comprising any school or
13 residential property owned, operated or managed by a
14 public housing agency or leased by a public housing
15 agency as part of a scattered site or mixed-income
16 development, or public park or within 1,000 feet of the
17 real property comprising any school or residential
18 property owned, operated or managed by a public housing
19 agency or leased by a public housing agency as part of a
20 scattered site or mixed-income development, or public
21 park, on the real property comprising any church,
22 synagogue, or other building, structure, or place used
23 primarily for religious worship, or within 1,000 feet of
24 the real property comprising any church, synagogue, or
25 other building, structure, or place used primarily for
26 religious worship, on the real property comprising any of
27 the following places, buildings, or structures used
28 primarily for housing or providing space for activities
29 for senior citizens: nursing homes, assisted-living
30 centers, senior citizen housing complexes, or senior
31 centers oriented toward daytime activities, or within
32 1,000 feet of the real property comprising any of the
33 following places, buildings, or structures used primarily
34 for housing or providing space for activities for senior

1 citizens: nursing homes, assisted-living centers, senior
2 citizen housing complexes, or senior centers oriented
3 toward daytime activities is guilty of a Class X felony,
4 the fine for which shall not exceed \$500,000;

5 (2) subsection (d) of Section 401 in any school, or
6 any conveyance owned, leased or contracted by a school to
7 transport students to or from school or a school related
8 activity, or on any public way within 1,000 feet of a
9 school bus stop on a scheduled school day at any time
10 beginning one hour before the start of school and ending
11 one hour after the end of school, or in residential
12 property owned, operated or managed by a public housing
13 agency or leased by a public housing agency as part of a
14 scattered site or mixed-income development, or public
15 park, on the real property comprising any school or
16 residential property owned, operated or managed by a
17 public housing agency or leased by a public housing
18 agency as part of a scattered site or mixed-income
19 development, or public park or within 1,000 feet of the
20 real property comprising any school or residential
21 property owned, operated or managed by a public housing
22 agency or leased by a public housing agency as part of a
23 scattered site or mixed-income development, or public
24 park, on the real property comprising any church,
25 synagogue, or other building, structure, or place used
26 primarily for religious worship, or within 1,000 feet of
27 the real property comprising any church, synagogue, or
28 other building, structure, or place used primarily for
29 religious worship, on the real property comprising any of
30 the following places, buildings, or structures used
31 primarily for housing or providing space for activities
32 for senior citizens: nursing homes, assisted-living
33 centers, senior citizen housing complexes, or senior
34 centers oriented toward daytime activities, or within

1 1,000 feet of the real property comprising any of the
2 following places, buildings, or structures used primarily
3 for housing or providing space for activities for senior
4 citizens: nursing homes, assisted-living centers, senior
5 citizen housing complexes, or senior centers oriented
6 toward daytime activities is guilty of a Class 1 felony,
7 the fine for which shall not exceed \$250,000;

8 (3) subsection (e) of Section 401 or Subsection (b)
9 of Section 404 in any school, or any conveyance owned,
10 leased or contracted by a school to transport students to
11 or from school or a school related activity, or on any
12 public way within 1,000 feet of a school bus stop on a
13 scheduled school day at any time beginning one hour
14 before the start of school and ending one hour after the
15 end of school, or in residential property owned, operated
16 or managed by a public housing agency or leased by a
17 public housing agency as part of a scattered site or
18 mixed-income development, or public park, on the real
19 property comprising any school or residential property
20 owned, operated or managed by a public housing agency or
21 leased by a public housing agency as part of a scattered
22 site or mixed-income development, or public park or
23 within 1,000 feet of the real property comprising any
24 school or residential property owned, operated or managed
25 by a public housing agency or leased by a public housing
26 agency as part of a scattered site or mixed-income
27 development, or public park, on the real property
28 comprising any church, synagogue, or other building,
29 structure, or place used primarily for religious worship,
30 or within 1,000 feet of the real property comprising any
31 church, synagogue, or other building, structure, or place
32 used primarily for religious worship, on the real
33 property comprising any of the following places,
34 buildings, or structures used primarily for housing or

1 providing space for activities for senior citizens:
2 nursing homes, assisted-living centers, senior citizen
3 housing complexes, or senior centers oriented toward
4 daytime activities, or within 1,000 feet of the real
5 property comprising any of the following places,
6 buildings, or structures used primarily for housing or
7 providing space for activities for senior citizens:
8 nursing homes, assisted-living centers, senior citizen
9 housing complexes, or senior centers oriented toward
10 daytime activities is guilty of a Class 2 felony, the
11 fine for which shall not exceed \$200,000;

12 (4) subsection (f) of Section 401 in any school, or
13 any conveyance owned, leased or contracted by a school to
14 transport students to or from school or a school related
15 activity, or on any public way within 1,000 feet of a
16 school bus stop on a scheduled school day at any time
17 beginning one hour before the start of school and ending
18 one hour after the end of school, or in residential
19 property owned, operated or managed by a public housing
20 agency or leased by a public housing agency as part of a
21 scattered site or mixed-income development, or public
22 park, on the real property comprising any school or
23 residential property owned, operated or managed by a
24 public housing agency or leased by a public housing
25 agency as part of a scattered site or mixed-income
26 development, or public park or within 1,000 feet of the
27 real property comprising any school or residential
28 property owned, operated or managed by a public housing
29 agency or leased by a public housing agency as part of a
30 scattered site or mixed-income development, or public
31 park, on the real property comprising any church,
32 synagogue, or other building, structure, or place used
33 primarily for religious worship, or within 1,000 feet of
34 the real property comprising any church, synagogue, or

1 other building, structure, or place used primarily for
2 religious worship, on the real property comprising any of
3 the following places, buildings, or structures used
4 primarily for housing or providing space for activities
5 for senior citizens: nursing homes, assisted-living
6 centers, senior citizen housing complexes, or senior
7 centers oriented toward daytime activities, or within
8 1,000 feet of the real property comprising any of the
9 following places, buildings, or structures used primarily
10 for housing or providing space for activities for senior
11 citizens: nursing homes, assisted-living centers, senior
12 citizen housing complexes, or senior centers oriented
13 toward daytime activities is guilty of a Class 2 felony,
14 the fine for which shall not exceed \$150,000;

15 (5) subsection (g) of Section 401 in any school, or
16 any conveyance owned, leased or contracted by a school to
17 transport students to or from school or a school related
18 activity, or on any public way within 1,000 feet of a
19 school bus stop on a scheduled school day at any time
20 beginning one hour before the start of school and ending
21 one hour after the end of school, or in residential
22 property owned, operated or managed by a public housing
23 agency or leased by a public housing agency as part of a
24 scattered site or mixed-income development, or public
25 park, on the real property comprising any school or
26 residential property owned, operated or managed by a
27 public housing agency or leased by a public housing
28 agency as part of a scattered site or mixed-income
29 development, or public park or within 1,000 feet of the
30 real property comprising any school or residential
31 property owned, operated or managed by a public housing
32 agency or leased by a public housing agency as part of a
33 scattered site or mixed-income development, or public
34 park, on the real property comprising any church,

1 synagogue, or other building, structure, or place used
2 primarily for religious worship, or within 1,000 feet of
3 the real property comprising any church, synagogue, or
4 other building, structure, or place used primarily for
5 religious worship, on the real property comprising any of
6 the following places, buildings, or structures used
7 primarily for housing or providing space for activities
8 for senior citizens: nursing homes, assisted-living
9 centers, senior citizen housing complexes, or senior
10 centers oriented toward daytime activities, or within
11 1,000 feet of the real property comprising any of the
12 following places, buildings, or structures used primarily
13 for housing or providing space for activities for senior
14 citizens: nursing homes, assisted-living centers, senior
15 citizen housing complexes, or senior centers oriented
16 toward daytime activities is guilty of a Class 2 felony,
17 the fine for which shall not exceed \$125,000;

18 (6) subsection (h) of Section 401 in any school, or
19 any conveyance owned, leased or contracted by a school to
20 transport students to or from school or a school related
21 activity, or on any public way within 1,000 feet of a
22 school bus stop on a scheduled school day at any time
23 beginning one hour before the start of school and ending
24 one hour after the end of school, or in residential
25 property owned, operated or managed by a public housing
26 agency or leased by a public housing agency as part of a
27 scattered site or mixed-income development, or public
28 park, on the real property comprising any school or
29 residential property owned, operated or managed by a
30 public housing agency or leased by a public housing
31 agency as part of a scattered site or mixed-income
32 development, or public park or within 1,000 feet of the
33 real property comprising any school or residential
34 property owned, operated or managed by a public housing

1 agency or leased by a public housing agency as part of a
2 scattered site or mixed-income development, or public
3 park, on the real property comprising any church,
4 synagogue, or other building, structure, or place used
5 primarily for religious worship, or within 1,000 feet of
6 the real property comprising any church, synagogue, or
7 other building, structure, or place used primarily for
8 religious worship, on the real property comprising any of
9 the following places, buildings, or structures used
10 primarily for housing or providing space for activities
11 for senior citizens: nursing homes, assisted-living
12 centers, senior citizen housing complexes, or senior
13 centers oriented toward daytime activities, or within
14 1,000 feet of the real property comprising any of the
15 following places, buildings, or structures used primarily
16 for housing or providing space for activities for senior
17 citizens: nursing homes, assisted-living centers, senior
18 citizen housing complexes, or senior centers oriented
19 toward daytime activities is guilty of a Class 2 felony,
20 the fine for which shall not exceed \$100,000.

21 (c) Regarding penalties prescribed in subsection (b) for
22 violations committed in a school or on or within 1,000 feet
23 of school property, the time of day, time of year and whether
24 classes were currently in session at the time of the offense
25 is irrelevant.

26 (Source: P.A. 91-353, eff. 1-1-00; 91-673, eff. 12-22-99;
27 92-16, eff. 6-28-01.)

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.