

1 AN ACT in relation to criminal offenses.

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

4 Section 5. The Criminal Code of 1961 is amended by adding
5 Section 12-2.6 as follows:

6 (720 ILCS 5/12-2.6 new)

7 Sec. 12-2.6. Use of a dangerous place for the commission
8 of a controlled substance or cannabis offense.

9 (a) A person commits the offense of use of a dangerous
10 place for the commission of a controlled substance or
11 cannabis offense when that person knowingly exercises control
12 over any place with the intent to use that place to
13 manufacture, produce, deliver, or possess with intent to
14 deliver a controlled or counterfeit substance or controlled
15 substance analog in violation of Section 401 of the Illinois
16 Controlled Substances Act or to manufacture, produce,
17 deliver, or possess with intent to deliver cannabis in
18 violation of Section 5, 5.1, 5.2, 7, or 8 of the Cannabis
19 Control Act and:

20 (1) the place, by virtue of the presence of the
21 substance or substances used or intended to be used to
22 manufacture a controlled or counterfeit substance,
23 controlled substance analog, or cannabis, presents a
24 substantial risk of injury to any person from fire,
25 explosion, or exposure to toxic or noxious chemicals or
26 gas; or

27 (2) the place used or intended to be used to
28 manufacture, produce, deliver, or possess with intent to
29 deliver a controlled or counterfeit substance, controlled
30 substance analog, or cannabis has located within it or
31 surrounding it devices, chemicals, or explosives

1 designed, hidden, or arranged in a manner that would
2 cause a person to be exposed to a substantial risk of
3 great bodily harm.

4 (b) It may be inferred that a place was intended to be
5 used to manufacture a controlled or counterfeit substance or
6 controlled substance analog if a substance containing a
7 controlled or counterfeit substance or controlled substance
8 analog or a substance containing a chemical important to the
9 manufacture of a controlled or counterfeit substance or
10 controlled substance analog is found at the place of the
11 alleged illegal controlled substance manufacturing in close
12 proximity to equipment or a chemical used for facilitating
13 the manufacture of the controlled or counterfeit substance or
14 controlled substance analog that is alleged to have been
15 intended to be manufactured.

16 (c) As used in this Section, "place" means a premise,
17 conveyance, or location that offers seclusion, shelter,
18 means, or facilitation for manufacturing, producing,
19 possessing, or possessing with intent to deliver a controlled
20 or counterfeit substance, controlled substance analog, or
21 cannabis.

22 (d) Use of a dangerous place for the commission of a
23 controlled substance or cannabis offense is a Class 1 felony.