

SB1571



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1571

Introduced 2/4/2025, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

720 ILCS 5/31A-1.1

from Ch. 38, par. 31A-1.1

Amends the Criminal Code of 2012. Increases the penalty from a Class 1 felony to a Class X felony for bringing into or possessing in a penal institution any amount of a controlled substance classified as a Schedules I or II controlled substance under the Illinois Controlled Substances Act.

LRB104 05009 RLC 15037 b

A BILL FOR

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 Criminal Code of 2012 is amended by
5 changing Section 31A-1.1 as follows:

6 (720 ILCS 5/31A-1.1) (from Ch. 38, par. 31A-1.1)

7 Sec. 31A-1.1. Bringing Contraband into a Penal
8 Institution; Possessing Contraband in a Penal Institution.

9 (a) A person commits bringing contraband into a penal
10 institution when he or she knowingly and without authority of
11 any person designated or authorized to grant this authority
12 (1) brings an item of contraband into a penal institution or
13 (2) causes another to bring an item of contraband into a penal
14 institution or (3) places an item of contraband in such
15 proximity to a penal institution as to give an inmate access to
16 the contraband.

17 (b) A person commits possessing contraband in a penal
18 institution when he or she knowingly possesses contraband in a
19 penal institution, regardless of the intent with which he or
20 she possesses it.

21 (c) (Blank).

22 (d) Sentence.

23 (1) Bringing into or possessing alcoholic liquor in a

1 penal institution is a Class 4 felony.

2 (2) Bringing into or possessing cannabis in a penal
3 institution is a Class 3 felony.

4 (3) Bringing into or possessing any amount of a
5 controlled substance classified in Schedules III, IV or V
6 of Article II of the Illinois Controlled Substances Act in
7 a penal institution is a Class 2 felony.

8 (4) Bringing into or possessing any amount of a
9 controlled substance classified in Schedules I or II of
10 Article II of the Illinois Controlled Substances Act in a
11 penal institution is a Class X ± felony.

12 (5) Bringing into or possessing a hypodermic syringe
13 in a penal institution is a Class 1 felony.

14 (6) Bringing into or possessing a weapon, tool to
15 defeat security mechanisms, cutting tool, or electronic
16 contraband in a penal institution is a Class 1 felony.

17 (7) Bringing into or possessing a firearm, firearm
18 ammunition, or explosive in a penal institution is a Class
19 X felony.

20 (e) It shall be an affirmative defense to subsection (b),
21 that the possession was specifically authorized by rule,
22 regulation, or directive of the governing authority of the
23 penal institution or order issued under it.

24 (f) It shall be an affirmative defense to subsection
25 (a)(1) and subsection (b) that the person bringing into or
26 possessing contraband in a penal institution had been

1 arrested, and that person possessed the contraband at the time
2 of his or her arrest, and that the contraband was brought into
3 or possessed in the penal institution by that person as a
4 direct and immediate result of his or her arrest.

5 (g) Items confiscated may be retained for use by the
6 Department of Corrections or disposed of as deemed appropriate
7 by the Chief Administrative Officer in accordance with
8 Department rules or disposed of as required by law.

9 (Source: P.A. 97-1108, eff. 1-1-13; 98-756, eff. 7-16-14.)