

SB2212



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2212

Introduced 2/26/2021, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

720 ILCS 5/9-3.3

from Ch. 38, par. 9-3.3

Amends the Criminal Code of 2012. Provides that a person commits drug-induced homicide when he or she violates delivery of a controlled substance or methamphetamine or a similar law of another jurisdiction, by unlawfully delivering a controlled substance to another, and the injection, inhalation, absorption, or ingestion of any amount of that controlled substance is a contributing cause of the person's death.

LRB102 11584 KMF 16918 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 9-3.3 as follows:

6 (720 ILCS 5/9-3.3) (from Ch. 38, par. 9-3.3)

7 Sec. 9-3.3. Drug-induced homicide.

8 (a) A person commits drug-induced homicide when he or she
9 violates Section 401 of the Illinois Controlled Substances Act
10 or Section 55 of the Methamphetamine Control and Community
11 Protection Act by unlawfully delivering a controlled substance
12 to another, and any person's death is caused by the injection,
13 inhalation, absorption, or ingestion of any amount of that
14 controlled substance or the injection, inhalation, absorption,
15 or ingestion of any amount of that controlled substance is a
16 contributing cause of the person's death.

17 (a-5) A person commits drug-induced homicide when he or
18 she violates the law of another jurisdiction, which if the
19 violation had been committed in this State could be charged
20 under Section 401 of the Illinois Controlled Substances Act or
21 Section 55 of the Methamphetamine Control and Community
22 Protection Act, by unlawfully delivering a controlled
23 substance to another, and any person's death is caused in this

1 State by the injection, inhalation, absorption, or ingestion
2 of any amount of that controlled substance or the injection,
3 inhalation, absorption, or ingestion of any amount of that
4 controlled substance is a contributing cause of the person's
5 death.

6 (b) Sentence. Drug-induced homicide is a Class X felony,
7 except:

8 (1) A person who commits drug-induced homicide by
9 violating subsection (a) or subsection (c) of Section 401
10 of the Illinois Controlled Substances Act or Section 55 of
11 the Methamphetamine Control and Community Protection Act
12 commits a Class X felony for which the defendant shall in
13 addition to a sentence authorized by law, be sentenced to
14 a term of imprisonment of not less than 15 years and not
15 more than 30 years or an extended term of not less than 30
16 years and not more than 60 years.

17 (2) A person who commits drug-induced homicide by
18 violating the law of another jurisdiction, which if the
19 violation had been committed in this State could be
20 charged under subsection (a) or subsection (c) of Section
21 401 of the Illinois Controlled Substances Act or Section
22 55 of the Methamphetamine Control and Community Protection
23 Act, commits a Class X felony for which the defendant
24 shall, in addition to a sentence authorized by law, be
25 sentenced to a term of imprisonment of not less than 15
26 years and not more than 30 years or an extended term of not

1 less than 30 years and not more than 60 years.

2 (Source: P.A. 100-404, eff. 1-1-18.)