

SB2156



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2156

Introduced 11/2/2005, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-2.6

Amends the Criminal Code of 1961. In the statute concerning the offense of use of a dangerous place for the commission of a controlled substance or cannabis offense, changes a reference from "premise" to "premises" in the definition of "place". Effective immediately.

LRB094 13277 RLC 48131 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 1961 is amended by changing
5 Section 12-2.6 as follows:

6 (720 ILCS 5/12-2.6)

7 Sec. 12-2.6. Use of a dangerous place for the commission of
8 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 cannabis
11 offense when that person knowingly exercises control over any
12 place with the intent to use that place to manufacture,
13 produce, deliver, or possess with intent to deliver a
14 controlled or counterfeit substance or controlled substance
15 analog in violation of Section 401 of the Illinois Controlled
16 Substances Act or to manufacture, produce, deliver, or possess
17 with intent to deliver cannabis in violation of Section 5, 5.1,
18 5.2, 7, or 8 of the Cannabis Control Act and:

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

26 (2) the place used or intended to be used to
27 manufacture, produce, deliver, or possess with intent to
28 deliver a controlled or counterfeit substance, controlled
29 substance analog, or cannabis has located within it or
30 surrounding it devices, weapons, chemicals, or explosives
31 designed, hidden, or arranged in a manner that would cause
32 a person to be exposed to a substantial risk of great

1 bodily harm.

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

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

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

22 (Source: P.A. 93-516, eff. 1-1-04; revised 1-25-05.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.