



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5219

by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

720 ILCS 5/20-1

from Ch. 38, par. 20-1

Amends the Criminal Code of 1961. Provides that a person also commits arson if he or she knowingly participates in methamphetamine manufacturing or knowingly uses any vehicle, structure, or real property to manufacture methamphetamine and as a result of such methamphetamine manufacturing or an attempt to manufacture methamphetamine a fire or explosion occurs within the property used to manufacture or attempt to manufacture methamphetamine or within other property in proximity to the property used to manufacture or attempt to manufacture methamphetamine.

LRB095 17163 RLC 43220 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 20-1 as follows:

6 (720 ILCS 5/20-1) (from Ch. 38, par. 20-1)

7 Sec. 20-1. Arson.

8 (a) A person commits arson when:~~7~~

9 (1) by means of fire or explosive, he or she knowingly:

10 (i) ~~(a)~~ Damages any real property, or any personal
11 property having a value of \$150 or more, of another
12 without his consent; or

13 (ii) ~~(b)~~ With intent to defraud an insurer, damages
14 any property or any personal property having a value of
15 \$150 or more; or ~~-~~

16 (2) he or she knowingly participates in
17 methamphetamine manufacturing or knowingly uses any
18 vehicle, structure, or real property to manufacture
19 methamphetamine and as a result of such methamphetamine
20 manufacturing or an attempt to manufacture methamphetamine
21 a fire or explosion occurs within the property used to
22 manufacture or attempt to manufacture methamphetamine or
23 within other property in proximity to the property used to

1 manufacture or attempt to manufacture methamphetamine.

2 (a-5) In a prosecution for a violation of paragraph (2) of
3 subsection (a) of this Section, an arson or fire investigator
4 must certify that the origin of the fire or explosion was the
5 result of the manufacture or attempted manufacture of
6 methamphetamine.

7 (b) In this Section:

8 (1) "Arson or fire investigator" means a peace officer
9 or firefighter who is trained to investigate the origins of
10 fires and explosions.

11 (2) "Methamphetamine" has the meaning ascribed to it in
12 Section 10 of the Methamphetamine Control and Community
13 Protection Act.

14 (3) "Participates" has the meaning ascribed to it in
15 Section 10 of the Methamphetamine Control and Community
16 Protection Act.

17 (4) Property "of another" means a building or other
18 property, whether real or personal, in which a person other
19 than the offender has an interest which the offender has no
20 authority to defeat or impair, even though the offender may
21 also have an interest in the building or property.

22 (c) Sentence.

23 Arson is a Class 2 felony.

24 (Source: P.A. 77-2638.)