

1 AN ACT in relation to controlled substances.

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
5 changing Sections 9-3.3 and 12-4.7 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 who violates ~~subsection (a) or subsection~~
9 ~~(e) of~~ Section 401 of the Illinois Controlled Substances Act
10 by unlawfully delivering a controlled substance to another,
11 and any person dies as a result of the injection, inhalation
12 or ingestion of any amount of that controlled substance,
13 commits the offense of drug-induced homicide.

14 (b) Sentence. Drug-induced homicide is a Class X
15 felony.

16 (c) A person who commits drug-induced homicide by
17 violating subsection (a) or subsection (c) of Section 401 of
18 the Illinois Controlled Substances Act commits a Class X
19 felony for which the defendant shall in addition to a
20 sentence authorized by law, be sentenced to a term of
21 imprisonment of not less than 15 years and not more than 30
22 years or an extended term of not less than 30 years and not
23 more than 60 years.

24 (Source: P.A. 91-357, eff. 7-29-99.)

25 (720 ILCS 5/12-4.7) (from Ch. 38, par. 12-4.7)

26 Sec. 12-4.7. Drug induced infliction of great bodily
27 harm.

28 (a) Any person who violates ~~subsection (a) or subsection~~
29 ~~(e) of~~ Section 401 of the Illinois Controlled Substances Act
30 by unlawfully delivering a controlled substance to another

1 commits the offense of drug induced infliction of great
2 bodily harm if any person experiences great bodily harm or
3 permanent disability as a result of the injection, inhalation
4 or ingestion of any amount of that controlled substance.

5 (b) Drug induced infliction of great bodily harm is a
6 Class 1 felony.

7 (Source: P.A. 86-1459; 87-435; 87-1198.)

8 Section 10. The Illinois Controlled Substances Act is
9 amended by changing Sections 401 and 402 as follows:

10 (720 ILCS 570/401) (from Ch. 56 1/2, par. 1401)

11 Sec. 401. Except as authorized by this Act, it is
12 unlawful for any person knowingly to: (i) manufacture or
13 deliver, or possess with intent to manufacture or deliver, a
14 controlled or counterfeit substance or controlled substance
15 analog or (ii) possess any methamphetamine manufacturing
16 chemical listed in paragraph (z-1) of Section 102 with the
17 intent to manufacture methamphetamine or the salt of an
18 optical isomer of methamphetamine or an analog thereof. A
19 violation of this Act with respect to each of the controlled
20 substances listed herein constitutes a single and separate
21 violation of this Act. For purposes of this Section,
22 "controlled substance analog" or "analog" means a substance
23 which is intended for human consumption, other than a
24 controlled substance, that has a chemical structure
25 substantially similar to that of a controlled substance in
26 Schedule I or II, or that was specifically designed to
27 produce an effect substantially similar to that of a
28 controlled substance in Schedule I or II. Examples of
29 chemical classes in which controlled substance analogs are
30 found include, but are not limited to, the following:
31 phenethylamines, N-substituted piperidines, morphinans,
32 ecgonines, quinazolinones, substituted indoles, and

1 arylcycloalkylamines. For purposes of this Act, a controlled
2 substance analog shall be treated in the same manner as the
3 controlled substance to which it is substantially similar.

4 (a) Any person who violates this Section with respect to
5 the following amounts of controlled or counterfeit substances
6 or controlled substance analogs, notwithstanding any of the
7 provisions of subsections (c), (c-5), (d), (d-5), (e), (f),
8 (g) or (h) to the contrary, is guilty of a Class X felony and
9 shall be sentenced to a term of imprisonment as provided in
10 this subsection (a) and fined as provided in subsection (b):

11 (1) (A) not less than 6 years and not more than 30
12 years with respect to 15 grams or more but less than
13 100 grams of a substance containing heroin, or an
14 analog thereof;

15 (B) not less than 9 years and not more than 40
16 years with respect to 100 grams or more but less
17 than 400 grams of a substance containing heroin, or
18 an analog thereof;

19 (C) not less than 12 years and not more than
20 50 years with respect to 400 grams or more but less
21 than 900 grams of a substance containing heroin, or
22 an analog thereof;

23 (D) not less than 15 years and not more than
24 60 years with respect to 900 grams or more of any
25 substance containing heroin, or an analog thereof;

26 (2) (A) not less than 6 years and not more than 30
27 years with respect to 15 grams or more but less than
28 100 grams of a substance containing cocaine, or an
29 analog thereof;

30 (B) not less than 9 years and not more than 40
31 years with respect to 100 grams or more but less
32 than 400 grams of a substance containing cocaine, or
33 an analog thereof;

34 (C) not less than 12 years and not more than

1 50 years with respect to 400 grams or more but less
2 than 900 grams of a substance containing cocaine, or
3 an analog thereof;

4 (D) not less than 15 years and not more than
5 60 years with respect to 900 grams or more of any
6 substance containing cocaine, or an analog thereof;

7 (3) (A) not less than 6 years and not more than 30
8 years with respect to 15 grams or more but less than
9 100 grams of a substance containing morphine, or an
10 analog thereof;

11 (B) not less than 9 years and not more than 40
12 years with respect to 100 grams or more but less
13 than 400 grams of a substance containing morphine,
14 or an analog thereof;

15 (C) not less than 12 years and not more than
16 50 years with respect to 400 grams or more but less
17 than 900 grams of a substance containing morphine,
18 or an analog thereof;

19 (D) not less than 15 years and not more than
20 60 years with respect to 900 grams or more of a
21 substance containing morphine, or an analog thereof;

22 (4) 200 grams or more of any substance containing
23 peyote, or an analog thereof;

24 (5) 200 grams or more of any substance containing a
25 derivative of barbituric acid or any of the salts of a
26 derivative of barbituric acid, or an analog thereof;

27 (6) 200 grams or more of any substance containing
28 amphetamine or any salt of an optical isomer of
29 amphetamine, or an analog thereof;

30 (6.5) (A) not less than 6 years and not more than
31 30 years with respect to 15 grams or more but less
32 than 100 grams of a substance containing
33 methamphetamine or any salt of an optical isomer of
34 methamphetamine, or an analog thereof;

1 (B) not less than 9 years and not more than 40
2 years with respect to 100 grams or more but less
3 than 400 grams of a substance containing
4 methamphetamine or any salt of an optical isomer of
5 methamphetamine, or an analog thereof;

6 (C) not less than 12 years and not more than
7 50 years with respect to 400 grams or more but less
8 than 900 grams of a substance containing
9 methamphetamine or any salt of an optical isomer of
10 methamphetamine, or an analog thereof;

11 (D) not less than 15 years and not more than
12 60 years with respect to 900 grams or more of any
13 substance containing methamphetamine or any salt of
14 an optical isomer of methamphetamine, or an analog
15 thereof.

16 (6.6) (A) not less than 6 years and not more than
17 30 years for the possession of any methamphetamine
18 manufacturing chemical set forth in paragraph (z-1)
19 of Section 102 with intent to manufacture 30 grams
20 or more but less than 150 grams of any substance
21 containing methamphetamine, or salt of any optical
22 isomer of methamphetamine, or an analog thereof;

23 (B) not less than 6 years and not more than 40
24 years for the possession of any methamphetamine
25 manufacturing chemical set forth in paragraph (z-1)
26 of Section 102 with intent to manufacture 150 grams
27 or more but less than 500 grams of any substance
28 containing methamphetamine, or salt of an optical
29 isomer of methamphetamine, or an analog thereof;

30 (C) not less than 6 years and not more than 50
31 years for the possession of any methamphetamine
32 manufacturing chemical set forth in paragraph (z-1)
33 of Section 102 with intent to manufacture 500 grams
34 or more but less than 1200 grams of any substance

1 containing methamphetamine, or salt of an optical
2 isomer of methamphetamine, or an analog thereof;

3 (D) not less than 6 years and not more than 60
4 years for the possession of any methamphetamine
5 manufacturing chemical set forth in paragraph (z-1)
6 of Section 102 with intent to manufacture 1200 grams
7 or more of any substance containing methamphetamine,
8 or salt of an optical isomer of methamphetamine, or
9 an analog thereof;

10 (7) (A) not less than 6 years and not more than 30
11 years with respect to: (i) 15 grams or more but less
12 than 100 grams of a substance containing lysergic
13 acid diethylamide (LSD), or an analog thereof, or
14 (ii) 15 or more objects or 15 or more segregated
15 parts of an object or objects but less than 200
16 objects or 200 segregated parts of an object or
17 objects containing in them or having upon them any
18 amounts of any substance containing lysergic acid
19 diethylamide (LSD), or an analog thereof;

20 (B) not less than 9 years and not more than 40
21 years with respect to: (i) 100 grams or more but
22 less than 400 grams of a substance containing
23 lysergic acid diethylamide (LSD), or an analog
24 thereof, or (ii) 200 or more objects or 200 or more
25 segregated parts of an object or objects but less
26 than 600 objects or less than 600 segregated parts
27 of an object or objects containing in them or having
28 upon them any amount of any substance containing
29 lysergic acid diethylamide (LSD), or an analog
30 thereof;

31 (C) not less than 12 years and not more than
32 50 years with respect to: (i) 400 grams or more but
33 less than 900 grams of a substance containing
34 lysergic acid diethylamide (LSD), or an analog

1 thereof, or (ii) 600 or more objects or 600 or more
 2 segregated parts of an object or objects but less
 3 than 1500 objects or 1500 segregated parts of an
 4 object or objects containing in them or having upon
 5 them any amount of any substance containing lysergic
 6 acid diethylamide (LSD), or an analog thereof;

7 (D) not less than 15 years and not more than
 8 60 years with respect to: (i) 900 grams or more of
 9 any substance containing lysergic acid diethylamide
 10 (LSD), or an analog thereof, or (ii) 1500 or more
 11 objects or 1500 or more segregated parts of an
 12 object or objects containing in them or having upon
 13 them any amount of a substance containing lysergic
 14 acid diethylamide (LSD), or an analog thereof;

15 (7.5) (A) not less than 6 years and not more than 30
 16 years with respect to: (i) 15 grams or more but less
 17 than 100 grams of a substance listed in paragraph
 18 (1), (2), (2.1), (3), (14.1), (19), (20), (20.1),
 19 (21), (25), or (26) of subsection (d) of Section
 20 204, or an analog or derivative thereof, or (ii) 15
 21 or more pills, tablets, caplets, capsules, or
 22 objects but less than 200 pills, tablets, caplets,
 23 capsules, or objects containing in them or having
 24 upon them any amounts of any substance listed in
 25 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),
 26 (20.1), (21), (25), or (26) of subsection (d) of
 27 Section 204, or an analog or derivative thereof;

28 (B) not less than 9 years and not more than 40
 29 years with respect to: (i) 100 grams or more but
 30 less than 400 grams of a substance listed in
 31 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),
 32 (20.1), (21), (25), or (26) of subsection (d) of
 33 Section 204, or an analog or derivative thereof, or
 34 (ii) 200 or more pills, tablets, caplets, capsules,

1 or objects but less than 600 pills, tablets,
 2 caplets, capsules, or objects containing in them or
 3 having upon them any amount of any substance listed
 4 in paragraph (1), (2), (2.1), (3), (14.1), (19),
 5 (20), (20.1), (21), (25), or (26) of subsection (d)
 6 of Section 204, or an analog or derivative thereof;

7 (C) not less than 12 years and not more than 50
 8 years with respect to: (i) 400 grams or more but
 9 less than 900 grams of a substance listed in
 10 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),
 11 (20.1), (21), (25), or (26) of subsection (d) of
 12 Section 204, or an analog or derivative thereof, or
 13 (ii) 600 or more pills, tablets, caplets, capsules,
 14 or objects but less than 1,500 pills, tablets,
 15 caplets, capsules, or objects containing in them or
 16 having upon them any amount of any substance listed
 17 in paragraph (1), (2), (2.1), (3), (14.1), (19),
 18 (20), (20.1), (21), (25), or (26) of subsection (d)
 19 of Section 204, or an analog or derivative thereof;

20 (D) not less than 15 years and not more than 60
 21 years with respect to: (i) 900 grams or more of any
 22 substance listed in paragraph (1), (2), (2.1), (3),
 23 (14.1), (19), (20), (20.1), (21), (25), or (26) of
 24 subsection (d) of Section 204, or an analog or
 25 derivative thereof, or (ii) 1,500 or more pills,
 26 tablets, caplets, capsules, or objects containing in
 27 them or having upon them any amount of a substance
 28 listed in paragraph (1), (2), (2.1), (3), (14.1),
 29 (19), (20), (20.1), (21), (25), or (26) of
 30 subsection (d) of Section 204, or an analog or
 31 derivative thereof;

32 (8) 30 grams or more of any substance containing
 33 pentazocine or any of the salts, isomers and salts of
 34 isomers of pentazocine, or an analog thereof;

1 (9) 30 grams or more of any substance containing
2 methaqualone or any of the salts, isomers and salts of
3 isomers of methaqualone, or an analog thereof;

4 (10) 30 grams or more of any substance
5 containing phencyclidine or any of the salts, isomers
6 and salts of isomers of phencyclidine (PCP), or an
7 analog thereof;

8 (10.5) 30 grams or more of any substance containing
9 ketamine or any of the salts, isomers and salts of
10 isomers of ketamine, or an analog thereof;

11 (11) 200 grams or more of any substance containing
12 any other controlled substance classified in Schedules I
13 or II, or an analog thereof, which is not otherwise
14 included in this subsection.

15 (b) Any person sentenced with respect to violations of
16 paragraph (1), (2), (3), (6.5), (6.6), ~~or (7)~~, or (7.5) of
17 subsection (a) involving 100 grams or more of the controlled
18 substance named therein, may in addition to the penalties
19 provided therein, be fined an amount not more than \$500,000
20 or the full street value of the controlled or counterfeit
21 substance or controlled substance analog, whichever is
22 greater. The term "street value" shall have the meaning
23 ascribed in Section 110-5 of the Code of Criminal Procedure
24 of 1963. Any person sentenced with respect to any other
25 provision of subsection (a), may in addition to the penalties
26 provided therein, be fined an amount not to exceed \$500,000.

27 (c) Any person who violates this Section with regard to
28 the following amounts of controlled or counterfeit substances
29 or controlled substance analogs, notwithstanding any of the
30 provisions of subsections (a), (b), (d), (e), (f), (g) or (h)
31 to the contrary, is guilty of a Class 1 felony. The fine for
32 violation of this subsection (c) shall not be more than
33 \$250,000:

34 (1) 10 or more grams but less than 15 grams of any

1 substance containing heroin, or an analog thereof;

2 (2) 1 gram or more but less than 15 grams of any
3 substance containing cocaine, or an analog thereof;

4 (3) 10 grams or more but less than 15 grams of any
5 substance containing morphine, or an analog thereof;

6 (4) 50 grams or more but less than 200 grams of any
7 substance containing peyote, or an analog thereof;

8 (5) 50 grams or more but less than 200 grams of any
9 substance containing a derivative of barbituric acid or
10 any of the salts of a derivative of barbituric acid, or
11 an analog thereof;

12 (6) 50 grams or more but less than 200 grams of any
13 substance containing amphetamine or any salt of an
14 optical isomer of amphetamine, or an analog thereof;

15 (6.5) 5 grams or more but less than 15 grams of any
16 substance containing methamphetamine or any salt or
17 optical isomer of methamphetamine, or an analog thereof;

18 (7) (i) 5 grams or more but less than 15 grams of
19 any substance containing lysergic acid diethylamide
20 (LSD), or an analog thereof, or (ii) more than 10 objects
21 or more than 10 segregated parts of an object or objects
22 but less than 15 objects or less than 15 segregated parts
23 of an object containing in them or having upon them any
24 amount of any substance containing lysergic acid
25 diethylamide (LSD), or an analog thereof;

26 (7.5) (i) 5 grams or more but less than 15 grams of
27 any substance listed in paragraph (1), (2), (2.1), (3),
28 (14.1), (19), (20), (20.1), (21), (25), or (26) of
29 subsection (d) of Section 204, or an analog or derivative
30 thereof, or (ii) more than 10 pills, tablets, caplets,
31 capsules, or objects but less than 15 pills, tablets,
32 caplets, capsules, or objects containing in them or
33 having upon them any amount of any substance listed in
34 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),

1 (20.1), (21), (25), or (26) of subsection (d) of Section
2 204, or an analog or derivative thereof;

3 (8) 10 grams or more but less than 30 grams of any
4 substance containing pentazocine or any of the salts,
5 isomers and salts of isomers of pentazocine, or an analog
6 thereof;

7 (9) 10 grams or more but less than 30 grams of any
8 substance containing methaqualone or any of the salts,
9 isomers and salts of isomers of methaqualone, or an
10 analog thereof;

11 (10) 10 grams or more but less than 30 grams of any
12 substance containing phencyclidine or any of the salts,
13 isomers and salts of isomers of phencyclidine (PCP), or
14 an analog thereof;

15 (10.5) 10 grams or more but less than 30 grams of
16 any substance containing ketamine or any of the salts,
17 isomers and salts of isomers of ketamine, or an analog
18 thereof;

19 (11) 50 grams or more but less than 200 grams of
20 any substance containing a substance classified in
21 Schedules I or II, or an analog thereof, which is not
22 otherwise included in this subsection.

23 (c-5) Any person who violates this Section with regard
24 to possession of any methamphetamine manufacturing chemical
25 set forth in paragraph (z-1) of Section 102 with intent to
26 manufacture 15 grams or more but less than 30 grams of
27 methamphetamine, or salt of an optical isomer of
28 methamphetamine or any analog thereof, is guilty of a Class 1
29 felony. The fine for violation of this subsection (c-5)
30 shall not be more than \$250,000.

31 (d) Any person who violates this Section with regard to
32 any other amount of a controlled or counterfeit substance
33 classified in Schedules I or II, or an analog thereof, which
34 is (i) a narcotic drug, (ii) lysergic acid diethylamide (LSD)

1 or an analog thereof, or (iii) any substance containing
2 amphetamine or methamphetamine or any salt or optical isomer
3 of amphetamine or methamphetamine, or an analog thereof, is
4 guilty of a Class 2 felony. The fine for violation of this
5 subsection (d) shall not be more than \$200,000.

6 (d-5) Any person who violates this Section with regard
7 to possession of any methamphetamine manufacturing chemical
8 set forth in paragraph (z-1) of Section 102 with intent to
9 manufacture less than 15 grams of methamphetamine, or salt of
10 an optical isomer of methamphetamine or any analog thereof,
11 is guilty of a Class 2 felony. The fine for violation of
12 this subsection (d-5) shall not be more than \$200,000.

13 (e) Any person who violates this Section with regard to
14 any other amount of a controlled or counterfeit substance
15 classified in Schedule I or II, or an analog thereof, which
16 substance is not included under subsection (d) of this
17 Section, is guilty of a Class 3 felony. The fine for
18 violation of this subsection (e) shall not be more than
19 \$150,000.

20 (f) Any person who violates this Section with regard to
21 any other amount of a controlled or counterfeit substance
22 classified in Schedule III is guilty of a Class 3 felony. The
23 fine for violation of this subsection (f) shall not be more
24 than \$125,000.

25 (g) Any person who violates this Section with regard to
26 any other amount of a controlled or counterfeit substance
27 classified in Schedule IV is guilty of a Class 3 felony. The
28 fine for violation of this subsection (g) shall not be more
29 than \$100,000.

30 (h) Any person who violates this Section with regard to
31 any other amount of a controlled or counterfeit substance
32 classified in Schedule V is guilty of a Class 3 felony. The
33 fine for violation of this subsection (h) shall not be more
34 than \$75,000.

1 (i) This Section does not apply to the manufacture,
 2 possession or distribution of a substance in conformance with
 3 the provisions of an approved new drug application or an
 4 exemption for investigational use within the meaning of
 5 Section 505 of the Federal Food, Drug and Cosmetic Act.

6 (Source: P.A. 90-382, eff. 8-15-97; 90-593, eff. 6-19-98;
 7 90-674, eff. 1-1-99; 91-336, eff. 1-1-00; 91-357, eff.
 8 7-29-99; 91-403, eff. 1-1-00; revised 8-30-99.)

9 (720 ILCS 570/402) (from Ch. 56 1/2, par. 1402)

10 Sec. 402. Except as otherwise authorized by this Act, it
 11 is unlawful for any person knowingly to possess a controlled
 12 or counterfeit substance. A violation of this Act with
 13 respect to each of the controlled substances listed herein
 14 constitutes a single and separate violation of this Act.

15 (a) Any person who violates this Section with respect to
 16 the following controlled or counterfeit substances and
 17 amounts, notwithstanding any of the provisions of subsections
 18 (c) and (d) to the contrary, is guilty of a Class 1 felony
 19 and shall, if sentenced to a term of imprisonment, be
 20 sentenced as provided in this subsection (a) and fined as
 21 provided in subsection (b):

22 (1) (A) not less than 4 years and not more than 15
 23 years with respect to 15 grams or more but less than
 24 100 grams of a substance containing heroin;

25 (B) not less than 6 years and not more than 30
 26 years with respect to 100 grams or more but less
 27 than 400 grams of a substance containing heroin;

28 (C) not less than 8 years and not more than 40
 29 years with respect to 400 grams or more but less
 30 than 900 grams of any substance containing heroin;

31 (D) not less than 10 years and not more than
 32 50 years with respect to 900 grams or more of any
 33 substance containing heroin;

1 (2) (A) not less than 4 years and not more than 15
2 years with respect to 15 grams or more but less than
3 100 grams of any substance containing cocaine;

4 (B) not less than 6 years and not more than 30
5 years with respect to 100 grams or more but less
6 than 400 grams of any substance containing cocaine;

7 (C) not less than 8 years and not more than 40
8 years with respect to 400 grams or more but less
9 than 900 grams of any substance containing cocaine;

10 (D) not less than 10 years and not more than
11 50 years with respect to 900 grams or more of any
12 substance containing cocaine;

13 (3) (A) not less than 4 years and not more than 15
14 years with respect to 15 grams or more but less than
15 100 grams of any substance containing morphine;

16 (B) not less than 6 years and not more than 30
17 years with respect to 100 grams or more but less
18 than 400 grams of any substance containing morphine;

19 (C) not less than 6 years and not more than 40
20 years with respect to 400 grams or more but less
21 than 900 grams of any substance containing morphine;

22 (D) not less than 10 years and not more than
23 50 years with respect to 900 grams or more of any
24 substance containing morphine;

25 (4) 200 grams or more of any substance containing
26 peyote;

27 (5) 200 grams or more of any substance containing a
28 derivative of barbituric acid or any of the salts of a
29 derivative of barbituric acid;

30 (6) 200 grams or more of any substance containing
31 amphetamine or any salt of an optical isomer of
32 amphetamine;

33 (6.5) (A) not less than 4 years and not more than
34 15 years with respect to 15 grams or more but less

1 than 100 grams of a substance containing
2 methamphetamine or any salt of an optical isomer of
3 methamphetamine;

4 (B) not less than 6 years and not more than 30
5 years with respect to 100 grams or more but less
6 than 400 grams of a substance containing
7 methamphetamine or any salt of an optical isomer of
8 methamphetamine;

9 (C) not less than 8 years and not more than 40
10 years with respect to 400 grams or more but less
11 than 900 grams of a substance containing
12 methamphetamine or any salt of an optical isomer of
13 methamphetamine;

14 (D) not less than 10 years and not more than
15 50 years with respect to 900 grams or more of any
16 substance containing methamphetamine or any salt of
17 an optical isomer of methamphetamine;

18 (7) (A) not less than 4 years and not more than 15
19 years with respect to: (i) 15 grams or more but less
20 than 100 grams of any substance containing lysergic
21 acid diethylamide (LSD), or an analog thereof, or
22 (ii) 15 or more objects or 15 or more segregated
23 parts of an object or objects but less than 200
24 objects or 200 segregated parts of an object or
25 objects containing in them or having upon them any
26 amount of any substance containing lysergic acid
27 diethylamide (LSD), or an analog thereof;

28 (B) not less than 6 years and not more than 30
29 years with respect to: (i) 100 grams or more but
30 less than 400 grams of any substance containing
31 lysergic acid diethylamide (LSD), or an analog
32 thereof, or (ii) 200 or more objects or 200 or more
33 segregated parts of an object or objects but less
34 than 600 objects or less than 600 segregated parts

1 of an object or objects containing in them or having
2 upon them any amount of any substance containing
3 lysergic acid diethylamide (LSD), or an analog
4 thereof;

5 (C) not less than 8 years and not more than 40
6 years with respect to: (i) 400 grams or more but
7 less than 900 grams of any substance containing
8 lysergic acid diethylamide (LSD), or an analog
9 thereof, or (ii) 600 or more objects or 600 or more
10 segregated parts of an object or objects but less
11 than 1500 objects or 1500 segregated parts of an
12 object or objects containing in them or having upon
13 them any amount of any substance containing lysergic
14 acid diethylamide (LSD), or an analog thereof;

15 (D) not less than 10 years and not more than
16 50 years with respect to: (i) 900 grams or more of
17 any substance containing lysergic acid diethylamide
18 (LSD), or an analog thereof, or (ii) 1500 or more
19 objects or 1500 or more segregated parts of an
20 object or objects containing in them or having upon
21 them any amount of a substance containing lysergic
22 acid diethylamide (LSD), or an analog thereof;

23 (7.5) (A) not less than 4 years and not more than 15
24 years with respect to: (i) 15 grams or more but less
25 than 100 grams of any substance listed in paragraph
26 (1), (2), (2.1), (3), (14.1), (19), (20), (20.1),
27 (21), (25), or (26) of subsection (d) of Section
28 204, or an analog or derivative thereof, or (ii) 15
29 or more pills, tablets, caplets, capsules, or
30 objects but less than 200 pills, tablets, caplets,
31 capsules, or objects containing in them or having
32 upon them any amount of any substance listed in
33 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),
34 (20.1), (21), (25), or (26) of subsection (d) of

1 Section 204, or an analog or derivative thereof;
2 (B) not less than 6 years and not more than 30
3 years with respect to: (i) 100 grams or more but
4 less than 400 grams of any substance listed in
5 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),
6 (20.1), (21), (25), or (26) of subsection (d) of
7 Section 204, or an analog or derivative thereof, or
8 (ii) 200 or more pills, tablets, caplets, capsules,
9 or objects but less than 600 pills, tablets,
10 caplets, capsules, or objects containing in them or
11 having upon them any amount of any substance listed
12 in paragraph (1), (2), (2.1), (3), (14.1), (19),
13 (20), (20.1), (21), (25), or (26) of subsection (d)
14 of Section 204, or an analog or derivative thereof;
15 (C) not less than 8 years and not more than 40
16 years with respect to: (i) 400 grams or more but
17 less than 900 grams of any substance listed in
18 paragraph (1), (2), (2.1), (3), (14.1), (19), (20),
19 (20.1), (21), (25), or (26) of subsection (d) of
20 Section 204, or an analog or derivative thereof, or
21 (ii) 600 or more pills, tablets, caplets, capsules,
22 or objects but less than 1,500 pills, tablets,
23 caplets, capsules, or objects containing in them or
24 having upon them any amount of any substance listed
25 in paragraph (1), (2), (2.1), (3), (14.1), (19),
26 (20), (20.1), (21), (25), or (26) of subsection (d)
27 of Section 204, or an analog or derivative thereof;
28 (D) not less than 10 years and not more than 50
29 years with respect to: (i) 900 grams or more of any
30 substance listed in paragraph (1), (2), (2.1), (3),
31 (14.1), (19), (20), (20.1), (21), (25), or (26) of
32 subsection (d) of Section 204, or an analog or
33 derivative thereof, or (ii) 1,500 or more pills,
34 tablets, caplets, capsules, or objects containing in

1 them or having upon them any amount of a substance
 2 listed in paragraph (1), (2), (2.1), (3), (14.1),
 3 (19), (20), (20.1), (21), (25), or (26) of
 4 subsection (d) of Section 204, or an analog or
 5 derivative thereof;

6 (8) 30 grams or more of any substance containing
 7 pentazocine or any of the salts, isomers and salts of
 8 isomers of pentazocine, or an analog thereof;

9 (9) 30 grams or more of any substance containing
 10 methaqualone or any of the salts, isomers and salts of
 11 isomers of methaqualone;

12 (10) 30 grams or more of any substance containing
 13 phencyclidine or any of the salts, isomers and salts of
 14 isomers of phencyclidine (PCP);

15 (10.5) 30 grams or more of any substance containing
 16 ketamine or any of the salts, isomers and salts of
 17 isomers of ketamine;

18 (11) 200 grams or more of any substance containing
 19 any substance classified as a narcotic drug in Schedules
 20 I or II which is not otherwise included in this
 21 subsection.

22 (b) Any person sentenced with respect to violations of
 23 paragraph (1), (2), (3), (6.5), ~~or~~ (7), or (7.5) of
 24 subsection (a) involving 100 grams or more of the controlled
 25 substance named therein, may in addition to the penalties
 26 provided therein, be fined an amount not to exceed \$200,000
 27 or the full street value of the controlled or counterfeit
 28 substances, whichever is greater. The term "street value"
 29 shall have the meaning ascribed in Section 110-5 of the Code
 30 of Criminal Procedure of 1963. Any person sentenced with
 31 respect to any other provision of subsection (a), may in
 32 addition to the penalties provided therein, be fined an
 33 amount not to exceed \$200,000.

34 (c) Any person who violates this Section with regard to

1 an amount of a controlled or counterfeit substance not set
2 forth in subsection (a) or (d) is guilty of a Class 4 felony.
3 The fine for a violation punishable under this subsection (c)
4 shall not be more than \$25,000.

5 (d) Any person who violates this Section with regard to
6 any amount of anabolic steroid is guilty of a Class C
7 misdemeanor for the first offense and a Class B misdemeanor
8 for a subsequent offense committed within 2 years of a prior
9 conviction.

10 (Source: P.A. 90-382, eff. 8-15-97; 90-593, eff. 6-19-98;
11 90-655, eff. 7-30-98; 90-674, eff. 1-1-99; 91-336, eff.
12 1-1-00; 91-357, eff. 7-29-99.)