

**720 ILCS 542/ 20**

UNLAWFUL SALE OF BATH SALTS

In violation of SECTION 20 of ACT 542 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly offered for sale<sup>1</sup> Bath Salts in the Union City Quik Stop, a retail mercantile establishment located 123 W. Union Street in Union City, Illinois.

<sup>1</sup>or sold

**NOTE:** “Bath salts” means any synthetic or natural material containing any quantity of a cathinone chemical structure, including any analogs, salts, isomers, or salts of isomers of any synthetic or natural material containing a cathinone chemical structure. This includes, but is not limited to, synthetic cathinones as defined in subsection (h) of Section 204 of the Illinois Controlled Substances Act, and any related “controlled substance analog” as defined in Section 402 of the Illinois Controlled Substances Act, regardless of how the product is labeled or marketed. “Person” means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or any other business organization or entity. “Retail mercantile establishment” has the meaning ascribed to it in Section 16–0.1 of the Criminal Code of 2012.

**SENTENCING NOTE:** Any person who violates this Act is guilty of a Class 3 felony for which a fine of not more than \$150,000 may be imposed. In addition to any other penalty that may be imposed for a violation of this Act, the unit of local government that issued a retailer's license for the retail mercantile establishment whose merchant violated this Act may revoke the retailer's license of that retail mercantile establishment upon conviction for a violation of this Act.

**IMPORTANT:** For sentencing and alternative charging information see the **Sentencing Guide.**

**Legislative History:** *Created – Public Act 99-585 (Eff: 1-1-17).*

**CHARGE:** Felony (Class 3)

**BOND:** Must be Set by Judge

**720 ILCS 550/ 4(a)**

UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(a) ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession not more than ~~2.5~~ 10 grams of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see **Appendix B.**

**SENTENCING NOTE:** A violation of this subsection shall constitute a civil law violation punishable by a minimum fine of \$100 and a maximum fine of \$200.

**IMPORTANT:** For sentencing and alternative charging information see the **Sentencing Guide.**

**Legislative History:** Created - P.A. 77-758 (August 16, 1971; Amended - P.A.s 77-2627, 78-255, ~~and~~ 90-397 and **by Public Act: 99-697; (Eff: 7-29-16).**

**CHARGE:** Civil Violation

**BOND:** No Bond

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**720 ILCS 550/ 4(b)**

UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(b) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession more than ~~2.5~~ 10 grams, but not more than ~~10~~ 30 grams, of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see **Appendix B.**

**IMPORTANT:** For sentencing and alternative charging information see the **Sentencing Guide.**

**Legislative History:** **Amended by Public Act: 99-697; (Eff: 7-29-16).**

**CHARGE:** Misdemeanor (Class B)

**BOND:** \$1,500

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(Amended Complaint)

**720 ILCS 550/ 4(c)**

UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(c) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession more than ~~40~~ 30 grams, but not more than ~~30~~ 100 grams, of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see **Appendix B.**

**CHARGING NOTE:** Any person convicted of a second or subsequent offense under this Act is guilty of a Class 4 felony. The charging instrument must state prior conviction. See **Appendix A** for discussion.

**IMPORTANT:** For sentencing and alternative charging information see the **Sentencing Guide.**

**Legislative History:** **Amended by Public Act: 99-697; (Eff: 7-29-16).**

**CHARGE:** Misdemeanor (Class A)

**BOND:** \$1,500

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(Amended Complaint)

**720 ILCS 550/ 4(d)**

UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(d) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession more than ~~(30)~~100 grams, but not more than 500 grams, of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see **Appendix B.**

**CHARGING NOTE:** Any person convicted of a second or subsequent offense under this Act is guilty of a Class 3 felony. The charging instrument must state prior conviction. See **Appendix A** for discussion.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 4)

**BOND:** Must be Set by Judge

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**720 ILCS 550/ 4(e)**

UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(e) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession more than 500 grams, but not more than 2,000 grams, of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 3)

**BOND:** Must be Set by Judge

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**720 ILCS 550/ 4(f)**

UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(f) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession more than 2,000 grams but not more than 5,000 grams of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 2)

**BOND:** Must be Set by Judge

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## **720 ILCS 550/ 4(g)**

### UNLAWFUL POSSESSION OF CANNABIS

In violation of SECTION 4(g) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly had in his possession more than 5,000 grams of a substance containing cannabis.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 1)

**BOND:** Must be Set by Judge

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## **720 ILCS 550/ 5(a)**

### UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(a) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly delivered<sup>2</sup> to Don Smith not more than 2.5 grams of a substance containing cannabis.

<sup>1</sup>or manufacture or possession with the intent to manufacture or deliver; <sup>2</sup>or manufactured, or possessed with intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING NOTE:** Any person who violates this subsection in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity is guilty of a Class A misdemeanor. See Sentencing Guide for discussion. (720 ILCS 550/5.2)

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**Legislative History:** Created - P.A. 77-758 (August 16, 1971); Amended - P.A.s 77-2627, 78-255, 83-778, 87-544 and 90-397.

**CHARGE:** Misdemeanor (Class B)

**BOND:** \$1,500

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**720 ILCS 550/ 5(b)**

UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(b) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly delivered<sup>2</sup> to Don Smith more than 2.5 grams, but not more than 10 grams, of a substance containing cannabis.

<sup>1</sup>or manufacture or possession with the intent to deliver or manufacture; <sup>2</sup>or manufactured, or possessed with intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING AND SENTENCING NOTE:** Any person who violates this subsection in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity is guilty of a Class 4 felony, the fine for which shall not exceed \$25,000. See Sentencing Guide for discussion. (720 ILCS 550/5.2)

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Misdemeanor (Class A)

**BOND:** \$1,500

**720 ILCS 550/ 5(c)**

UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(c) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly delivered<sup>2</sup> to Don Smith more than 10 grams, but not more than 30 grams, of a substance containing cannabis, otherwise than as authorized in the Cannabis Control Act.

<sup>1</sup>or manufacture or possession with the intent to deliver or manufacture; <sup>2</sup>or manufactured, or possessed with intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING AND SENTENCING NOTE:** Any person who violates this subsection in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity is guilty of a Class 3 felony, the fine for which shall not exceed \$50,000. See Sentencing Guide for discussion. (720 ILCS 550/5.2)

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 4) **BOND:** Must be Set by Judge

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**720 ILCS 550/ 5(d)**

UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(d) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly delivered<sup>2</sup> to Don Smith more than 30 grams, but not more than 500 grams, of a substance containing cannabis.

<sup>1</sup>or manufacture or possession with the intent to deliver or manufacture; <sup>2</sup>or manufactured, or possessed with intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING AND SENTENCING NOTE:** Any person who violates this subsection in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity is guilty of a Class 2 felony, the fine for which shall not exceed \$100,000. See Sentencing Guide for discussion. (720 ILCS 550/5.2)

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 3) **BOND:** Must be Set by Judge

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**720 ILCS 550/ 5(e)**

UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(e) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly and unlawfully delivered<sup>2</sup> to Don Smith more than 500 grams, but not more than 2,000 grams, of a substance containing cannabis, otherwise than as authorized in the Cannabis Control Act.

<sup>1</sup>or manufacture or possession with the intent to deliver or manufacture; <sup>2</sup>or manufactured, or possessed with intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING AND SENTENCING NOTE:** Any person who violates this subsection in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity is guilty of a Class 1 felony, the fine for which shall not exceed \$200,000. See Sentencing Guide for discussion. (720 ILCS 550/5.2)

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 2)

**BOND:** Must be Set by Judge

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**720 ILCS 550/ 5(f)**

UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(f) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly delivered<sup>2</sup> to Don Smith more than 2,000 grams but not more than 5,000 grams of a substance containing cannabis.

<sup>1</sup>or manufacture or possession with the intent to deliver or manufacture; <sup>2</sup>or manufactured or possessed with the intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.



**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class 1)

**BOND:** Must be Set by Judge

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**720 ILCS 550/ 5(g)**

UNLAWFUL DELIVERY<sup>1</sup> OF CANNABIS

In violation of SECTION 5(g) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly delivered<sup>2</sup> to Don Smith more than 5,000 grams of a substance containing cannabis.

<sup>1</sup>or manufacture or possession with the intent to deliver or manufacture; <sup>2</sup>or manufactured or possessed with the intent to deliver or manufacture

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** Felony (Class X)

**BOND:** Must be Set by Judge

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**720 ILCS 550/ 5.1(a)**

UNLAWFUL CANNABIS TRAFFICKING

In violation of SECTION 5.1(a) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly brought<sup>1</sup> 2500 or more grams of cannabis into the State of Illinois for the purpose of delivering<sup>2</sup> said cannabis in Illinois<sup>3</sup> in that said defendant landed his Piper Cub airplane at Mug Field, Union City, Union County, Illinois, after having taken off from Miami, Florida, and said defendant's airplane contained in excess of 2,500 grams of cannabis.

<sup>1</sup>or caused to be brought; <sup>2</sup>or for the purpose of manufacture or with the intent to manufacture or deliver; <sup>3</sup>or in any other state or county

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**SENTENCING NOTE:** A person convicted of cannabis trafficking shall be sentenced to a term of imprisonment not less than twice the minimum term and fined an amount as authorized by subsection (f) or (g) of Section 5 of this Act based upon the amount of cannabis brought or caused to be brought into this State, and not more than twice the maximum term of imprisonment and fine.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**CHARGE:** See Note.

**BOND:** See Note.

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**(New Offense)**

**720 ILCS 550/ 5.3(a)**

UNLAWFUL USE OF CANNABIS-BASED PRODUCT MANUFACTURING EQUIPMENT

In violation of SECTION 5.1(a) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly engaged in the possession<sup>1</sup> of equipment used in the manufacturing of a cannabis-based product using a volatile<sup>2</sup> gas, to wit: a canister of butane gas<sup>3</sup>, with the intent to manufacture<sup>4</sup> directly<sup>5</sup> a cannabis-based product, to wit: (describe the cannabis-based product).

<sup>1</sup>or procurement, transportation, storage, or delivery; <sup>2</sup>or explosive; <sup>3</sup>or any volatile or explosive gas; <sup>4</sup>or compound, covert (sic), produce, derive, process, or prepare; <sup>5</sup>or indirectly.

**CHARGING NOTE:** This Section does not apply to a cultivation center or cultivation center agent that prepares medical cannabis or cannabis-infused products in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act and Department of Public Health and Department of Agriculture rules.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**Legislative History:** Created by Public Act: 99-697; (Eff: 7-29-16).

**CHARGE:** Felony (Class 2)

**BOND:** Must be Set by Judge

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## **720 ILCS 550/ 7(a)**

### UNLAWFUL DELIVERY OF CANNABIS

In violation of SECTION 7(a) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), being a person of at least 18<sup>1</sup> years, knowingly sold to Don Smith, a person under 18 years of age and at least 3 years his junior, in violation of Section 5(a) of Act 550 of Chapter 720 of the Illinois Compiled Statutes, more than 2.5 grams of a substance containing cannabis.

<sup>1</sup>720 ILCS 550/7 provides: Any person who is at least 18 years of age who violates Section 5 of this Act by delivering cannabis to a person under 18 years of age who is at least 3 years his junior is punishable by a sentence up to twice the maximum otherwise authorized by Section 5. If this situation should arise, merely select the applicable subsections of Section 5 and add the age allegations as set forth in the above model complaint.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING NOTE:** Check applicable Section to determine whether offense is misdemeanor or felony.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**Legislative History:** Created - P.A. 77-758 (August 17, 1971); Amended - P.A.s 77-2627, 78-255 and 85-1209.

**CHARGE:** See Note.

**BOND:** See Note.

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## **720 ILCS 550/ 8(b)**

### UNLAWFUL PRODUCTION OF CANNABIS SATIVA PLANTS

In violation of SECTION 8(b) of ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), knowingly produced<sup>1</sup> 16 cannabis sativa plants in the residence commonly known as 777 May Street, Union City, Union County, Illinois.

<sup>1</sup>or possessed

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING NOTE:** The penalty for this offense is - A. 5 or less plants = Class A misdemeanor; B. more than 5 but not more than 20 = Class 4 felony; C. more than 20 but not more than 50=Class 3 felony; D. more than 50 plants = Class 2 felony; E. more than 200 plants = Class 1 felony. See Sentencing Guide for discussion

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**Legislative History:** Created - P.A. 77-758 (January 1, 1971); Amended - P.A.s 77-2627, 78-255, 84-1233 & 95-247.

**CHARGE:** Felony (Class 4)

**BOND:** Must be Set by Judge

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## **720 ILCS 550/ 9(a)**

### UNLAWFUL CALCULATED CRIMINAL CANNABIS CONSPIRACY

In violation of SECTION 9(a) ACT 550 of CHAPTER 720 of the Illinois Compiled Statutes, on (date of offense), in the State of Illinois and the County of \_\_\_\_\_, defendant, (defendant's name), as part of a conspiracy undertaken with two<sup>1</sup> other persons, Daniel Shield and Paul Forest, in violation of Section 5(d)<sup>2</sup> of Act 550 of Chapter 720 of the Illinois Compiled Statutes, knowingly delivered to Don Smith more than 30 grams but not more than 500 grams of cannabis, and he organized<sup>3</sup> such conspiracy.<sup>4</sup>

<sup>1</sup>or more; <sup>2</sup>or Sections 4(d), 4(e), 5(e), 8(c) or 8(d); <sup>3</sup>or directed or financed; <sup>4</sup>or violation

**NOTE:** This subsection may also be violated when the defendant is a part of such conspiracy and he or she obtains anything of value greater than \$500 from the violation or conspiracy.

**NOTE:** For a discussion of whether it is necessary to allege and prove the "exceptions" to this criminal offense see Appendix B.

**CHARGING NOTE:** If the defendant engages in this offense after one or more prior convictions under this Section, Section 4(d), Section 5(d), or any law of the United States, or of any other State relating to cannabis, or controlled substances as defined in the Illinois Controlled Substances Act, in addition to the fine and forfeiture authorized, he shall be guilty of a Class 1 felony. See the Sentencing Guide for an explanation.

**IMPORTANT:** For sentencing and alternative charging information see the Sentencing Guide.

**Legislative History:** Created - P.A. 77-758 (August 16, 1971); Amended - P.A.s 77-2227, 78-255, 79-1362, 80-888 & 84-1233.

**CHARGE:** Felony (Class 3)

**BOND:** Must be Set by Judge

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