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**Drug-Free Schools & Communities Act/  
Illinois Sanctions & Penalties  
Underage Drinking Penalties and Alcohol Possession Laws**

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**1. Alcohol + Minors = Penalties**

**Providing alcohol to an individual under the age of 21:** Maximum \$2,500 fine and up to a year in jail for a misdemeanor offense. Felony offense can result in a prison sentence of a year or more and fines up to \$25,000.

**2. Social Host Law**

It is a \$500 minimum fine (with a maximum \$2,500 fine and up to one year in jail) to knowingly allow underage drinking to occur at a private residence. If **serious injury or death** occurs because of this activity, individuals are subject to a **Class 4 felony** (up to three years in prison and fines up to \$25,000).

**3. Possession, consumption, purchase, or receipt of alcohol by an individual under the age of 21 years of age**

3-month suspension of driving privileges for court supervision, 6 mos. for first conviction, 1 year for second conviction, and license revocation for subsequent convictions.

**4. Illegal transportation of alcohol in an automobile by an individual under the age of 21** Transporting alcohol is illegal, and anyone in the vehicle can be charged with a maximum \$1,000 fine. For the driver, the penalty is mandatory driver's license suspension for one year on the first offense, and mandatory one-year revocation for subsequent offenses.

**5. Underage Drinking & Driving**

"USE IT AND LOSE IT" – ZERO TOLERANCE  
(Blood Alcohol Content over 0.0 while driving a vehicle)

**1st Offense:** Three-month suspension of driving privileges; six-month suspension with refusal of alcohol testing.

**2nd Offense (before age 21):** One-year suspension of driver's license; two-year suspension with refusal of testing.

To obtain driving relief, you **MUST** be 18+ years old, serve 30 days of "hard" suspension, and drive a Breath Alcohol Ignition Interlock Device (BAIID) equipped vehicle.

**Driving without a BAIID is a Class 4 felony.** Penalties include a minimum of 30 days in jail (or 300 hours community service), up to three years in prison, and fines up to \$25,000.

**6. D.U.I. Arrest Driving Sanctions**

**(BAC of at least .08%, a showing of other drugs, or refusing to submit to alcohol or drug testing)**

**1st Offense:** Six-month suspension of driving privileges; one-year suspension with refusal of testing.

**2nd Offense (within 5 years):** One-year suspension of driving privileges; three-year suspension with refusal of testing. No driving relief possible.

**7. Underage D.U.I. Convictions**

**1st Conviction:** Up to one year in jail and fines up to \$2,500. Two-year minimum revocation of driver's license. Not eligible for driving relief until the second year.

**2nd Conviction:** Up to one year in jail and fines up to \$2,500. Revocation of driver's license for minimum five years or until age 21, whichever is longer. Mandatory minimum imprisonment of five days (or 240 hours of community service).

**8. Aggravated DUI**

**Any DUI resulting in a felony charge, including a DUI resulting in great bodily harm or death; a third or subsequent DUI conviction; or committing a DUI without a valid license, permit, or insurance. Penalties include:** Imprisonment of up to 14 years for DUI resulting in the loss of life; Imprisonment of up to 28 years for multiple fatalities; Felony charges vary for offense from a Class 4 felony (one to three years imprisonment) to a Class X felony (6-30 years); Minimum revocation periods vary for offense from a minimum of one year to mandatory life.

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## Illinois Sanctions and Penalties Illegal Drugs Manufacture or Delivery

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**Possession of Cocaine (PCS) (Charges/Offenses)**

0-15 grams	720 ILCS 570/402(c)	Class 4	1-3 years prison
15-100 grams	720 ILCS 570/402(a)(2)(A)	Class 1	4-15 years prison
100-400 grams	720 ILCS 570/402(a)(2)(B)	Class 1	6-30 years prison
400-900 grams	720 ILCS 570/402(a)(2)(C)	Class 1	8-40 years prison
900+ grams	720 ILCS 570/402(a)(2)(D)	Class 1	10-50 years prison

**Delivery of Cocaine/ Possession with intent to deliver (Charge /Offense)**

0-1 grams	720 ILCS 570/401(d)(i)	Class 2	3-7 years prison
1-15 grams	720 ILCS 570/401(c)(2)	Class 1	4-15 years prison
15-100 grams	720 ILCS 570/401(a)(2)(A)	Class X	6-30 years prison
100-400 grams	720 ILCS 570/401(a)(2)(B)	Class X	9-40 years prison
400-900 grams	720 ILCS 570/401(a)(2)(C)	Class X	12-50 years prison
900+ grams	720 ILCS 570/401(a)(2)(D)	Class X	15-60 years prison

**Possession of Heroin (PCS) (Charge / Offense)**

0-15 grams	720 ILCS 570/402(c)	Class 4	1-3 years prison
15-100 grams	720 ILCS 570/402(a)(1)(A)	Class 1	4-15 years prison
100-400 grams	720 ILCS 570/402(a)(1)(B)	Class 1	6-30 years prison
400-900 grams	720 ILCS 570/402(a)(1)(C)	Class 1	8-40 years prison
900+ grams	720 ILCS 570/402(a)(1)(D)	Class 1	10-50 years prison

**Delivery of Heroin/ Possession with intent to deliver (Charge / Offense)**

0-1 gram	720 ILCS 570/401(d)(i)	Class 2	3-7 years prison
1-15 grams	720 ILCS 570/401(c)(1)	Class 1	4-15 years prison
15-100 grams	720 ILCS 570/401(a)(1)(A)	Class X	6-30 years prison
100-400 grams	720 ILCS 570/401(a)(1)(B)	Class X	9-40 years prison
400-900 grams	720 ILCS 570/401(a)(1)(C)	Class X	12-50 years prison
900+ grams	720 ILCS 570/401(a)(1)(D)	Class X	15-60 years prison

**Possession of Ecstasy (PCS) (Charge / Offense)**

0-15 tablets	720 ILCS 570/402(c)	Class 4	1-3 years prison
15-200 tablets	720 ILCS 570/402(a)(7.5)(A)(ii)	Class 1	4-15 years prison
200-600 tablets	720 ILCS 570/402(a)(7.5)(B)(ii)	Class 1	6-30 years prison
600-1,500 tablets	720 ILCS 570/402(a)(7.5)(C)(ii)	Class 1	8-40 years prison
1,500+ tablets	720 ILCS 570/402(a)(7.5)(D)(ii)	Class 1	10-50 years prison

**Delivery of Ecstasy / Possession with intent to deliver (Charge / Offense)**

0-10 tablets	720 ILCS 570/401(d)(iii)	Class 2	3-7 years prison
10-15 tablets	720 ILCS 570/401(c)(7.5)(ii)	Class 1	4-15 years prison

15-200 tablets	720 ILCS 570/401(a)(7.5)(A)(ii)	Class X	6-30 years prison
200-600 tablets	720 ILCS 570/401(a)(7.5)(B)(ii)	Class X	9-40 years prison
600-1,500 tablets	720 ILCS 570/401(a)(7.5)(C)(ii)	Class X	12-50 years prison
1,500+ tablets	720 ILCS 570/401(a)(7.5)(D)(ii)	Class X	15-60 years prison

**Possession of Crystal Methamphetamine (Charge / Offense)**

0-15 grams	720 ILCS 570/402(c)	Class 4	1-3 years prison
15-100 grams	720 ILCS 570/402(a)(7.5)(A)(i)	Class 1	4-15 years prison
100-400 grams	720 ILCS 570/402(a)(7.5)(B)(i)	Class 1	6-30 years prison
400-900 grams	720 ILCS 570/402(a)(7.5)(C)(i)	Class 1	8-40 years prison
900+ grams	720 ILCS 570/402(a)(7.5)(D)(i)	Class 1	10-50 years prison

**Delivery of Crystal Methamphetamine / Possession with intent to deliver (Charge / Offense)**

0-10 grams	720 ILCS 570/401(d)(iii)	Class 2	3-7 years prison
10-15 grams	720 ILCS 570/401(c)(7.5)(i)	Class 1	4-15 years prison
15-100 grams	720 ILCS 570/401(a)(7.5)(A)(i)	Class X	6-30 years prison
100-400 grams	720 ILCS 570/401(a)(7.5)(B)(i)	Class X	9-40 years prison
400-900 grams	720 ILCS 570/401(a)(7.5)(C)(i)	Class X	12-50 years prison
900+ grams	720 ILCS 570/401(a)(7.5)(D)(i)	Class X	15-60 years prison

**Possession of Cannabis (Charge / Offense)**

0-2.5 grams	720 ILCS 550/4(a)	Class C	1-30 days jail time
2.5-10 grams	720 ILCS 550/4(b)	Class B	1-180 days jail time
10-30 grams	720 ILCS 550/4(c)	Class A	1-364 days jail time
30-500 grams	720 ILCS 550/4(d)	Class 4	1-3 years prison
500-2,000 grams	720 ILCS 550/4(e)	Class 3	2-5 years prison
2,000-5,000 grams	720 ILCS 550/4(f)	Class 2	3-7 years prison
5,000+ grams	720 ILCS 550/4(g)	Class 1	4-15 years prison

**Delivery of Cannabis / Possession with intent to deliver (Charge / Offense)**

0-2.5 grams	720 ILCS 550/5(a)	Class B	1-180 days jail time
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2.5-10 grams	720 ILCS 550/5(b)	Class A	1-364 days jail time
10-30 grams	720 ILCS 550/5(c)	Class 4	1-3 years prison
30-500 grams	720 ILCS 550/5(d)	Class 3	2-5 years prison
500-2,000 grams	720 ILCS 550/5(e)	Class 2	3-7 years prison
2,000-5,000 grams	720 ILCS 550/5(f)	Class 1	4-15 years prison
5,000+ grams	720 ILCS 550/5(g)	Class X	6-30 years prison

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