



Lower fine for getting high: Governor signs marijuana decriminalization into law

by Cory Davenport, Contributing Writer
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SPRINGFIELD - Small amounts of marijuana have been decriminalized in Illinois.

A bill, signed into law Friday by **Illinois Governor Bruce Rauner**, would make possession of as much as 20 grams of marijuana punishable by up to \$200 fines instead of a misdemeanor charge. Amounts of more than 20 grams will still be able to be charged as a criminal offense. The law allows counties to use mandated drug counseling and treatment plans at their discretion regarding marijuana possession. The law also sets a benchmark for driving impairment under the influence of marijuana.

Usual testing for **THC**, the psychoactive chemical in marijuana activated by heat, will have positive results for as long as a month following ingestion or inhaling. Under the new law, motorists who have more than five nanograms of THC in their bloodstream or 10 nanograms in their saliva will be subject to a DUI under the new law.

This factor in the law was important to **Illinois Senator Bill Haine (D-Alton)** who argued in its favor on the floor of the **Illinois General Assembly**. He said he felt it was necessary to have a provision for impaired drivers.

"We want to still make sure we get dangerous drivers off the street," Haine said following the bill's signing.

Madison County State's Attorney Tom Gibbons said he was in favor of the new law and is assisting in the preparation of police across Madison County to be able to enforce it.

"We have **Drug Recognition Expert**, or DRE, officers who are trained to recognize if someone is impaired," Gibbons said. "They have over 100 hours of training for recognizing impairment. We are looking to add more DREs to the area in the future."

Currently, there is no scientific method to test for THC in the blood or saliva being utilized by law enforcement in the River Bend area. Gibbons said he is sure the technology will "catch up" with the law in a similar fashion to the well-calibrated breathalyzer used to test for alcohol impairment. As of now, the lack of testing will make DUI cases for marijuana use hard to prosecute for the state.

Both Gibbons and Haine, who served as Madison County State's Attorney himself, said they wanted to ensure they were able to get "dangerous" drivers off the street. Gibbons expressed his dislike for former methods of testing for THC, saying the chemical's residue takes as long as a month to metabolize in someone's system. He also described blood testing for the chemical in many cases to be "invasive."

Haine said he was also in favor of the law because it would help many young people who "make one stupid decision to try marijuana" maintain their futures. He said the new law would allow young people caught with small amounts of marijuana to keep scholarships they otherwise may have lost due to marijuana possession charges and get better careers in the future.