



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3246

by Rep. Gregory Harris

SYNOPSIS AS INTRODUCED:

New Act

Creates the Retail Store Sharps Disposal Act. Provides that a retail store shall make sharps disposal boxes available at that retail store if it is requested by an employee of the retail store who submits a written request to the manager of the retail store and to the Department of Public Health, requested by the municipality where the retail store is located, or if an infection or contamination from needle exposure is traced back to that retail store by the Department, a local health department, or State or local law enforcement. Provides that any municipality may require by ordinance that sharps disposal boxes be placed at any retail store located within that municipality. Provides that specified retail stores shall have at least one employee trained in the safe and proper handling and disposal of sharps. Provides that the Department shall institute that training. Provides that particular categories of retail stores, to be determined by the Department, shall install sharps disposal boxes. Provides that all required sharps disposal box installation and all training occur not more than 90 days after receiving notice of the requirement. Provides that the Department shall create and maintain a list of retail stores that are required to install sharps disposal boxes and municipalities that require retail stores to install sharps disposal boxes. Provides that the Department shall ensure that all retail stores required to install sharps disposal boxes are inspected at least once every year to verify compliance with the Act.

LRB101 10831 CPF 55962 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Retail
5 Store Sharps Disposal Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Public Health.

8 Section 10. Sharps disposal boxes. A retail store shall
9 make sharps disposal boxes available at that retail store if:

10 (a) requested by an employee of the retail store who
11 submits a written request to the manager of the retail
12 store and to the Department;

13 (b) requested by the municipality where the retail
14 store is located; or

15 (c) infection or contamination from needle exposure is
16 traced back to that retail store by the Department, a local
17 health department, or State or local law enforcement.

18 A retail store required to make sharp disposal boxes
19 available under this Act shall place sharps disposal boxes in
20 all restrooms located at the retail store. All sharps disposal
21 boxes must be clearly labeled and tamper-proof.

1 Section 15. Municipalities. A municipality may require by
2 ordinance that sharps disposal boxes be placed at any retail
3 store located within that municipality.

4 Section 20. Trained employee. Any retail store that is
5 required to have a sharps disposal box under this Act must have
6 at least one person employed at that retail store who has
7 received the training instituted by the Department under
8 Section 40.

9 Section 25. Particular categories of retail store. If a
10 particular category of retail store is determined by the State
11 or a municipality to be associated with an especially high
12 degree of sharps usage or disposal, all retail stores of that
13 particular category must install sharps disposal boxes. The
14 Department shall prescribe by rule minimum criteria,
15 standards, and procedures for the establishment and operation
16 of such determinations. If a retail store believes that it has
17 been improperly or mistakenly categorized, the retail store may
18 appeal to the Department for a different determination.

19 Section 30. Installation and training. Retail stores that
20 are required to install sharps disposal boxes under this Act
21 must install all necessary sharps disposal boxes and ensure
22 that employees receive the training instituted by the
23 Department under Section 40 not more than 90 days after the

1 receipt of an employee's request and knowledge of submission of
2 the employee's request to the Department, receipt of a request
3 by the municipality where the retail store is located, notice
4 of infection or contamination from needle exposure, or notice
5 from the State or a municipality that the retail store is
6 determined to be of a particular category with an especially
7 high degree of sharps usage. If a retail store unsuccessfully
8 appeals its determination as a particular category associated
9 with an especially high degree of sharps usage or disposal,
10 that retail store must install all necessary sharps disposal
11 boxes and ensure that employees receive proper training
12 instituted by the Department under Section 40 not more than 30
13 days after receiving notice of the Department's decision.

14 Section 35. List of retail stores. The Department shall
15 create and maintain a list of retail stores that are required
16 to install sharps disposal boxes and municipalities that
17 require retail stores to install sharps disposal boxes. The
18 Department shall ensure that all retail stores required to
19 install sharps disposal boxes are inspected at least once every
20 year to verify compliance with this Act.

21 Section 40. Department training program. The Department,
22 in cooperation with the Environmental Protection Agency, shall
23 institute a training program for the safe and proper handling
24 and disposal of sharps. The Department may designate a third

1 party to create the training program, so long as it meets the
2 standards established in Section 2310-252 of the Department of
3 Public Health Powers and Duties Law of the Civil Administrative
4 Code of Illinois. The training program may be taken in person
5 or online.