

SB0680



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0680

Introduced 1/26/2017, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

210 ILCS 150/17
415 ILCS 5/22.58

Amends the Safe Pharmaceutical Disposal Act. Provides that used, expired, or unwanted pharmaceuticals collected by a city, village, or municipality under the Act may be destroyed in a drug destruction device by a law enforcement agency. Amends the Environmental Protection Act. Expands the definition of "drug evidence" in the provision for drug destruction by a law enforcement agency to include any used, expired, or unwanted pharmaceuticals collected under the Safe Pharmaceutical Disposal Act.

LRB100 00293 SLF 10297 b

A BILL FOR

1 AN ACT concerning drug disposal.

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

4 Section 5. The Safe Pharmaceutical Disposal Act is amended
5 by changing Section 17 as follows:

6 (210 ILCS 150/17)

7 Sec. 17. Pharmaceutical disposal. Notwithstanding any
8 provision of law, any city, village, or municipality may
9 authorize the use of its city hall or police department to
10 display a container suitable for use as a receptacle for used,
11 expired, or unwanted pharmaceuticals. These used, expired, or
12 unwanted pharmaceuticals may include unused medication and
13 prescription drugs, as well as controlled substances if
14 collected in accordance with federal law. This receptacle shall
15 only permit the deposit of items, and the contents shall be
16 locked and secured. The container shall be accessible to the
17 public and shall have posted clearly legible signage indicating
18 that expired or unwanted prescription drugs may be disposed of
19 in the receptacle. Pharmaceuticals disposed of under this Act
20 may be destroyed in a drug destruction device in accordance
21 with Section 22.58 of the Environmental Protection Act.

22 (Source: P.A. 99-480, eff. 9-9-15.)

1 Section 10. The Environmental Protection Act is amended by
2 changing Section 22.58 as follows:

3 (415 ILCS 5/22.58)

4 Sec. 22.58. Drug destruction by law enforcement agency.

5 (a) For purposes of this Section:

6 "Drug destruction device" means a device that is (i)
7 designed by its manufacturer to destroy drug evidence and
8 render it non-retrievable and (ii) used exclusively for that
9 purpose.

10 "Drug evidence" means any illegal drug collected as
11 evidence by a law enforcement agency or any used, expired, or
12 unwanted pharmaceuticals collected under the Safe
13 Pharmaceutical Disposal Act. "Drug evidence" does not include
14 hazardous waste.

15 "Illegal drug" means any one or more of the following when
16 obtained without a prescription or otherwise in violation of
17 the law:

18 (1) any substance as defined and included in the
19 Schedules of Article II of the Illinois Controlled
20 Substances Act;

21 (2) any cannabis as defined in Section 3 of the
22 Cannabis Control Act; or

23 (3) any drug as defined in paragraph (b) of Section 3
24 of the Pharmacy Practice Act.

25 "Law enforcement agency" means an agency of this State or

1 unit of local government that is vested by law or ordinance
2 with the duty to maintain public order and to enforce criminal
3 laws or ordinances.

4 "Non-retrievable" means the condition or state following a
5 process that permanently alters the ~~illegal~~ drug's physical or
6 chemical condition or state through irreversible means and
7 thereby renders the ~~illegal~~ drug unavailable and unusable for
8 all practical purposes.

9 (b) To the extent allowed under federal law, drug evidence
10 that is placed into a drug destruction device by a law
11 enforcement agency at the location where the evidence is stored
12 by the agency and that is destroyed under the supervision of
13 the agency in accordance with the specifications of the device
14 manufacturer shall not be considered discarded or a waste under
15 this Act until it is rendered non-retrievable.

16 (Source: P.A. 99-60, eff. 7-16-15.)