

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 county ~~city, village,~~ or municipality may  
9 authorize the use of its city hall, its ~~or~~ police department,  
10 or any other facility under its control to display a container  
11 suitable for use as a receptacle for used, expired, or unwanted  
12 pharmaceuticals. These used, expired, or unwanted  
13 pharmaceuticals may include unused medication and prescription  
14 drugs, as well as controlled substances if collected in  
15 accordance with federal law. This receptacle shall only permit  
16 the deposit of items, and the contents shall be locked and  
17 secured. The container shall be accessible to the public and  
18 shall have posted clearly legible signage indicating that  
19 expired or unwanted prescription drugs may be disposed of in  
20 the receptacle. The county or municipality shall provide  
21 continuous or regular notice to the public regarding the  
22 availability of the receptacle. To the extent allowed under  
23 federal law, pharmaceuticals collected under this Section may

1 be disposed of in a drug destruction device, as defined in  
2 Section 22.58 of the Environmental Protection Act.

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

4 Section 10. The Environmental Protection Act is amended by  
5 changing Section 22.58 as follows:

6 (415 ILCS 5/22.58)

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

8 (a) For purposes of this Section:

9 "Drug destruction device" means a device that is (i)  
10 designed by its manufacturer to destroy drug evidence and  
11 render it non-retrievable and (ii) used exclusively for that  
12 purpose or, to the extent allowed under federal law, to destroy  
13 pharmaceuticals collected under Section 17 of the Safe  
14 Pharmaceutical Disposal Act.

15 "Drug evidence" means any illegal drug collected as  
16 evidence by a law enforcement agency. "Drug evidence" does not  
17 include hazardous waste.

18 "Illegal drug" means any one or more of the following when  
19 obtained without a prescription or otherwise in violation of  
20 the law:

21 (1) any substance as defined and included in the  
22 Schedules of Article II of the Illinois Controlled  
23 Substances Act;

24 (2) any cannabis as defined in Section 3 of the

1 Cannabis Control Act; or

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

4 "Law enforcement agency" means an agency of this State or  
5 unit of local government that is vested by law or ordinance  
6 with the duty to maintain public order and to enforce criminal  
7 laws or ordinances.

8 "Non-retrievable" means the condition or state following a  
9 process that permanently alters the illegal drug's physical or  
10 chemical condition or state through irreversible means and  
11 thereby renders the illegal drug unavailable and unusable for  
12 all practical purposes.

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

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

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.