



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 680

2 AMENDMENT NO. _____. Amend Senate Bill 680, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

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

7 (210 ILCS 150/17)

8 Sec. 17. Pharmaceutical disposal. Notwithstanding any
9 provision of law, any county ~~city, village,~~ or municipality may
10 authorize the use of its city hall, its ~~or~~ police department,
11 or any other facility under its control to display a container
12 suitable for use as a receptacle for used, expired, or unwanted
13 pharmaceuticals. These used, expired, or unwanted
14 pharmaceuticals may include unused medication and prescription
15 drugs, as well as controlled substances if collected in
16 accordance with federal law. This receptacle shall only permit

1 the deposit of items, and the contents shall be locked and
2 secured. The container shall be accessible to the public and
3 shall have posted clearly legible signage indicating that
4 expired or unwanted prescription drugs may be disposed of in
5 the receptacle. The county or municipality shall provide
6 continuous or regular notice to the public regarding the
7 availability of the receptacle. To the extent allowed under
8 federal law, pharmaceuticals collected under this Section may
9 be disposed of in a drug destruction device, as defined in
10 Section 22.58 of the Environmental Protection Act.

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

12 Section 10. The Environmental Protection Act is amended by
13 changing Section 22.58 as follows:

14 (415 ILCS 5/22.58)

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

16 (a) For purposes of this Section:

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

23 "Drug evidence" means any illegal drug collected as
24 evidence by a law enforcement agency. "Drug evidence" does not

1 include hazardous waste.

2 "Illegal drug" means any one or more of the following when
3 obtained without a prescription or otherwise in violation of
4 the law:

5 (1) any substance as defined and included in the
6 Schedules of Article II of the Illinois Controlled
7 Substances Act;

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

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

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

16 "Non-retrievable" means the condition or state following a
17 process that permanently alters the illegal drug's physical or
18 chemical condition or state through irreversible means and
19 thereby renders the illegal drug unavailable and unusable for
20 all practical purposes.

21 (b) To the extent allowed under federal law, drug evidence
22 that is placed into a drug destruction device by a law
23 enforcement agency at the location where the evidence is stored
24 by the agency and that is destroyed under the supervision of
25 the agency in accordance with the specifications of the device
26 manufacturer shall not be considered discarded or a waste under

1 this Act until it is rendered non-retrievable.

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

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".