



Sen. Iris Y. Martinez

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09600SB2155sam001

LRB096 11549 DRJ 23275 a

1 AMENDMENT TO SENATE BILL 2155

2 AMENDMENT NO. _____. Amend Senate Bill 2155 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Unused Pharmaceuticals Disposal Program Act.

6 Section 5. Purpose and findings. The purpose of this Act is
7 to ensure the safe, effective, and proper disposal of unused
8 pharmaceuticals. For purposes of compliance with federal law
9 and regulations, the return of pharmaceuticals under this Act
10 is deemed to be for law enforcement purposes. The General
11 Assembly finds that a convenient, safe, secure, and
12 environmentally sound product stewardship program for the
13 collection, transportation, and disposal of unwanted drugs
14 from residential sources may help to avoid accidental
15 poisonings, decrease illegitimate access to drugs that can lead
16 to abuse, and protect our surface and groundwater.

1 Section 10. Definitions. In this Act:

2 "Agency" means the Illinois Environmental Protection
3 Agency.

4 "Program" means the Unused Pharmaceuticals Disposal
5 Program created under this Act.

6 Section 15. Program created.

7 (a) The Agency shall create the Unused Pharmaceuticals
8 Disposal Program for the return of unused pharmaceuticals. The
9 program must use prepaid mailing envelopes into which the
10 unused pharmaceuticals are placed and returned to a single
11 collection location. The Agency must make the prepaid mailing
12 envelopes available to the public at various locations,
13 including, without limitation, pharmacies, physicians'
14 offices, and post offices.

15 (b) The Agency may randomly assess the toxicity of
16 materials received under the program. The Agency must ensure,
17 however, that the assessment results do not identify the
18 patient for whom any unused pharmaceuticals were prescribed,
19 the person who mailed the unused pharmaceuticals, the person
20 who prescribed the unused pharmaceuticals, or the pharmacy that
21 dispensed the unused pharmaceuticals.

22 Section 20. Disposal of pharmaceuticals.

23 (a) The Agency shall ensure that only Agency employees

1 handle the unused pharmaceuticals that are returned under the
2 program.

3 (b) The Agency shall ensure that the unused pharmaceuticals
4 collected under the program are disposed of in a manner that is
5 designed to be effective, secure, and in compliance with local,
6 State, and federal environmental requirements, including the
7 federal Resource Conservation and Recovery Act of 1976.

8 Section 25. Unused Pharmaceuticals Disposal Program Fund.
9 The Unused Pharmaceuticals Disposal Program Fund is created as
10 a special fund in the State treasury. The fund shall consist of
11 moneys made available by public or private entities, including,
12 but not limited to, contracts, public or private financial
13 gifts, bequests, grants, or donations from individuals,
14 corporations, foundations, or public or private institutions
15 of higher learning. Moneys in the fund shall be appropriated to
16 the Agency for use in implementing this Act.

17 Section 30. The State Finance Act is amended by adding
18 Section 5.719 as follows:

19 (30 ILCS 105/5.719 new)

20 Sec. 5.719. The Unused Pharmaceuticals Disposal Program
21 Fund.

22 Section 99. Effective date. This Act takes effect January

1 1, 2010.".