

HB1877



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1877

by Rep. Jason Barickman

SYNOPSIS AS INTRODUCED:

720 ILCS 570/302

from Ch. 56 1/2, par. 1302

Amends the Illinois Controlled Substances Act. Provides that the exemption from registration with the Department of Financial and Professional Regulation for a veterinary clinic or hospital operated by a State-supported or publicly funded university or college shall not operate to bar the University of Illinois from requesting, nor the Department of Financial and Professional Regulation from issuing, a registration to the University of Illinois Veterinary Teaching Hospital under the Act. Provides that neither a request for such registration nor the issuance of such registration to the University of Illinois shall operate to otherwise waive or modify the exemption. Effective immediately.

LRB097 07741 RLC 47853 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Illinois Controlled Substances Act is
5 amended by changing Section 302 as follows:

6 (720 ILCS 570/302) (from Ch. 56 1/2, par. 1302)

7 Sec. 302. (a) Every person who manufactures, distributes,
8 or dispenses any controlled substances, or engages in chemical
9 analysis, and instructional activities which utilize
10 controlled substances, or who purchases, stores, or
11 administers euthanasia drugs, within this State or who proposes
12 to engage in the manufacture, distribution, or dispensing of
13 any controlled substance, or to engage in chemical analysis,
14 and instructional activities which utilize controlled
15 substances, or to engage in purchasing, storing, or
16 administering euthanasia drugs, within this State, must obtain
17 a registration issued by the Department of Professional
18 Regulation in accordance with its rules. The rules shall
19 include, but not be limited to, setting the expiration date and
20 renewal period for each registration under this Act. The
21 Department, any facility or service licensed by the Department,
22 and any veterinary hospital or clinic operated by a
23 veterinarian or veterinarians licensed under the Veterinary

1 Medicine and Surgery Practice Act of 2004 or maintained by a
2 State-supported or publicly funded university or college shall
3 be exempt from the regulation requirements of this Section;
4 however, such exemption shall not operate to bar the University
5 of Illinois from requesting, nor the Department of Financial
6 and Professional Regulation from issuing, a registration to the
7 University of Illinois Veterinary Teaching Hospital under this
8 Act. Neither a request for such registration nor the issuance
9 of such registration to the University of Illinois shall
10 operate to otherwise waive or modify the exemption provided in
11 this subsection (a).

12 (b) Persons registered by the Department of Professional
13 Regulation under this Act to manufacture, distribute, or
14 dispense controlled substances, or purchase, store, or
15 administer euthanasia drugs, may possess, manufacture,
16 distribute, or dispense those substances, or purchase, store,
17 or administer euthanasia drugs, to the extent authorized by
18 their registration and in conformity with the other provisions
19 of this Article.

20 (c) The following persons need not register and may
21 lawfully possess controlled substances under this Act:

22 (1) an agent or employee of any registered
23 manufacturer, distributor, or dispenser of any controlled
24 substance if he is acting in the usual course of his
25 employer's lawful business or employment;

26 (2) a common or contract carrier or warehouseman, or an

1 agent or employee thereof, whose possession of any
2 controlled substance is in the usual lawful course of such
3 business or employment;

4 (3) an ultimate user or a person in possession of any
5 controlled substance pursuant to a lawful prescription of a
6 practitioner or in lawful possession of a Schedule V
7 substance;

8 (4) officers and employees of this State or of the
9 United States while acting in the lawful course of their
10 official duties which requires possession of controlled
11 substances;

12 (5) a registered pharmacist who is employed in, or the
13 owner of, a pharmacy licensed under this Act and the
14 Federal Controlled Substances Act, at the licensed
15 location, or if he is acting in the usual course of his
16 lawful profession, business, or employment.

17 (d) A separate registration is required at each place of
18 business or professional practice where the applicant
19 manufactures, distributes, or dispenses controlled substances,
20 or purchases, stores, or administers euthanasia drugs. Persons
21 are required to obtain a separate registration for each place
22 of business or professional practice where controlled
23 substances are located or stored. A separate registration is
24 not required for every location at which a controlled substance
25 may be prescribed.

26 (e) The Department of Professional Regulation or the

1 Department of State Police may inspect the controlled premises,
2 as defined in Section 502 of this Act, of a registrant or
3 applicant for registration in accordance with this Act and the
4 rules promulgated hereunder and with regard to persons licensed
5 by the Department, in accordance with subsection (bb) of
6 Section 30-5 of the Alcoholism and Other Drug Abuse and
7 Dependency Act and the rules and regulations promulgated
8 thereunder.

9 (Source: P.A. 96-219, eff. 8-10-09.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.