

1 AN ACT concerning public health.

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

4 Section 5. The Illinois Food, Drug and Cosmetic Act is  
5 amended by changing Sections 2.4, 3.22, 5, and 6 as follows:

6 (410 ILCS 620/2.4) (from Ch. 56 1/2, par. 502.4)

7 Sec. 2.4. (a) "Drug" means (1) articles recognized in the  
8 official United States Pharmacopoeia - National Formulary,  
9 official Homeopathic Pharmacopoeia of the United States,  
10 United States Dispensatory, or Remington's Practice of  
11 Pharmacy, or any supplement to any of them; and (2) articles  
12 intended for use in the diagnosis, cure, mitigation, treatment  
13 or prevention of disease in man or other animals; and (3)  
14 articles (other than food) intended to affect the structure or  
15 any function of the body of man or other animals; and (4)  
16 articles intended for use as a component of any article  
17 specified in clause (1), (2) or (3); but does not include  
18 devices or their components, parts or accessories.

19 (b) "Synthetic drug product" means any product that  
20 contains a substance defined as a controlled substance under  
21 subsections (d) and (e) of Section 204 of the Illinois  
22 Controlled Substances Act. Products approved by the U.S. Food  
23 and Drug Administration for human consumption are not synthetic

1 drug products.

2 (Source: P.A. 84-891.)

3 (410 ILCS 620/3.22) (from Ch. 56 1/2, par. 503.22)

4 Sec. 3.22. (a) Whoever knowingly distributes, or possesses  
5 with intent to distribute, human growth hormone for any use in  
6 humans other than the treatment of a disease or other  
7 recognized medical condition, where the use has been authorized  
8 by the Secretary of Health and Human Services and under the  
9 order of a physician, is guilty of a Class 3 felony, and may be  
10 fined an amount not to exceed \$50,000. As used in this Section,  
11 the term "human growth hormone" means somatrem, somatropin, or  
12 an analogue of either of them.

13 (b) Whoever distributes, or possesses with intent to  
14 distribute, a synthetic drug product or a drug that is  
15 misbranded under this Act is guilty of a Class 2 felony and may  
16 be fined an amount not to exceed \$100,000. A person convicted  
17 of a second or subsequent violation of this Section is guilty  
18 of a Class 1 felony, the fine for which shall not exceed  
19 \$250,000.

20 (c) Whoever falsely advertises a synthetic drug product is  
21 guilty of a Class 3 felony and may be fined an amount not to  
22 exceed \$100,000.

23 (d) Whoever commits any offense set forth in this Section  
24 and the offense involves an individual under 18 years of age is  
25 punishable by not more than 10 years imprisonment, and twice

1 the fine authorized above. Any conviction for a violation of  
2 this Section shall be considered a violation of the Illinois  
3 Controlled Substances Act for the purposes of forfeiture under  
4 Section 505 of such Act. ~~As used in this Section the term~~  
5 ~~"human growth hormone" means somatrem, somatropin, or an~~  
6 ~~analogue of either of them. The Department of State Police and~~  
7 ~~Department of Professional Regulation are authorized to~~  
8 ~~investigate offenses punishable by this Section.~~

9 (e) Any person convicted under this Section is subject to  
10 the forfeiture provisions set forth in subsections (c), (d),  
11 (e), (f), (g), (h), and (i) of Section 3.23 of this Act.

12 (Source: P.A. 87-754.)

13 (410 ILCS 620/5) (from Ch. 56 1/2, par. 505)

14 Sec. 5. (a) A person who violates any of the provisions of  
15 this Act, other than Sections 3.22 and 6, is guilty of a Class  
16 C misdemeanor; but if the violation is committed after a  
17 conviction of such person under this Section has become final,  
18 the person shall be guilty of a Class A misdemeanor. A person  
19 who violates the provisions of Section 6 of this Act is guilty  
20 of a Class A misdemeanor; but if the violation is committed  
21 after a conviction of such person under this Section has become  
22 final, the person shall be guilty of a Class 4 felony.

23 (b) No person is subject to the penalties of subsection (a)  
24 of this Section for (1) violating Section 3.1 or 3.3 if he  
25 establishes a guaranty or undertaking signed by and containing

1 the name and address of the person residing in the State of  
2 Illinois from whom he received the article in good faith, to  
3 the effect that the article is not adulterated ~~or misbranded~~  
4 within the meaning of this Act, designating this Act; or (2)  
5 for having violated clause (2) of Section 3.16 if such person  
6 acted in good faith and had no reason to believe that the use  
7 of the punch, die, plate, stone or other thing involved would  
8 result in a drug being a counterfeit drug, or for having  
9 violated clause (3) of Section 3.16 if the person doing the act  
10 or causing it to be done acted in good faith and had no reason  
11 to believe that the drug was a counterfeit drug.

12 (c) No publisher, radio-broadcast licensee, agency or  
13 medium for the dissemination of an advertisement, except the  
14 manufacturer, packer, distributor or seller of the article to  
15 which a false advertisement relates is liable under this  
16 Section for the dissemination of such false advertisement  
17 unless he has refused on the request of the Director to furnish  
18 the Director the name and post office address of the  
19 manufacturer, packer, distributor, seller or advertising  
20 agency residing in the State of Illinois who causes him to  
21 disseminate such advertisement.

22 (d) No person shall be subject to the penalties of  
23 subsection (a) of this Section for a violation of Section 3  
24 involving misbranded food if the violation exists solely  
25 because the food is misbranded under subsection (c) of Section  
26 11 because of its advertising, and no person shall be subject

1 to the penalties of subsection (a) of this Section for such a  
2 violation unless the violation is committed with the intent to  
3 defraud or mislead.

4 (Source: P.A. 86-704; 87-754.)

5 (410 ILCS 620/6) (from Ch. 56 1/2, par. 506)

6 Sec. 6. (a) When an authorized agent of the Director finds  
7 or has probable cause to believe that any food, drug, device or  
8 cosmetic is adulterated or so misbranded as to be dangerous or  
9 fraudulent within the meaning of this Act, ~~or~~ is in violation  
10 of Section 12, 17 or 17.1 of this Act, or is suspected to be a  
11 synthetic drug product, he or she shall affix to such article a  
12 tag or other appropriate marking giving notice that the article  
13 is or is suspected of being adulterated or misbranded and has  
14 been detained or embargoed and warning all persons not to  
15 remove or dispose of such article by sale or otherwise until  
16 permission for removal or disposal is given by such agent or  
17 the court. It is unlawful for any person to remove or dispose  
18 of such detained or embargoed article by sale or otherwise  
19 without such permission.

20 (b) When an article detained or embargoed under subsection  
21 (a) of this Section is found by such agent to be adulterated or  
22 misbranded or to be in violation of Section 12, 17 or 17.1 of  
23 this Act or is suspected to be a synthetic drug product, he or  
24 she shall petition the circuit court in whose jurisdiction the  
25 article is detained or embargoed for a libel for condemnation

1 of such article. When such agent finds that an article so  
2 detained or embargoed is not adulterated or misbranded or is  
3 not a synthetic drug product, he or she shall remove the tag or  
4 other marking.

5 (c) If the court finds that a detained or embargoed article  
6 is adulterated or misbranded, such article shall, after entry  
7 of the judgment, be destroyed at the expense of the claimant  
8 thereof, under the supervision of such agent, and all court  
9 costs and fees, and storage and other proper expenses, shall be  
10 taxed against the claimant of such article or his or her agent.  
11 However, when the adulteration or misbranding can be corrected  
12 by proper labeling or processing of the article, the court,  
13 after entry of the judgment and after such costs, fees and  
14 expenses have been paid and a good and sufficient bond,  
15 conditioned that such article shall be so labeled or processed,  
16 has been executed, may by order direct that such article be  
17 delivered to the claimant thereof for such labeling or  
18 processing under the supervision of an agent of the Director.  
19 The expense of such supervision shall be paid by the claimant.  
20 The article shall be returned to the claimant and the bond  
21 shall be discharged on the representation to the court by the  
22 Director that the article is no longer in violation of this  
23 Act, and that the expenses of such supervision have been paid.

24 (d) Whenever the Director or any of his or her authorized  
25 agents finds in any room, building, vehicle of transportation  
26 or other structure, any meat, sea food, poultry, vegetable,

1 fruit or other perishable articles which contain any filthy,  
2 decomposed or putrid substance, or that may be poisonous or  
3 deleterious to health or otherwise unsafe, the same being  
4 hereby declared to be a nuisance, the Director or his or her  
5 authorized agent shall condemn or destroy the same, or in any  
6 other manner render the same unusable as human food.

7 (Source: P.A. 85-564.)

8 Section 10. The Illinois Controlled Substances Act is  
9 amended by changing Section 204 as follows:

10 (720 ILCS 570/204) (from Ch. 56 1/2, par. 1204)

11 Sec. 204. (a) The controlled substances listed in this  
12 Section are included in Schedule I.

13 (b) Unless specifically excepted or unless listed in  
14 another schedule, any of the following opiates, including their  
15 isomers, esters, ethers, salts, and salts of isomers, esters,  
16 and ethers, whenever the existence of such isomers, esters,  
17 ethers and salts is possible within the specific chemical  
18 designation:

19 (1) Acetylmethadol;

20 (1.1) Acetyl-alpha-methylfentanyl

21 (N-[1-(1-methyl-2-phenethyl)-

22 4-piperidinyl]-N-phenylacetamide);

23 (2) Allylprodine;

24 (3) Alphacetylmethadol, except

1           levo-alphaacetylmethadol (also known as levo-alpha-  
2           acetylmethadol, levomethadyl acetate, or LAAM);  
3           (4) Alphameprodine;  
4           (5) Alphamethadol;  
5           (6) Alpha-methylfentanyl  
6           (N-(1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl)  
7           propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-  
8           propanilido) piperidine;  
9           (6.1) Alpha-methylthiofentanyl  
10          (N-[1-methyl-2-(2-thienyl)ethyl-  
11          4-piperidinyl]-N-phenylpropanamide);  
12          (7) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);  
13          (7.1) PEPAP  
14          (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);  
15          (8) Benzethidine;  
16          (9) Betacetylmethadol;  
17          (9.1) Beta-hydroxyfentanyl  
18          (N-[1-(2-hydroxy-2-phenethyl)-  
19          4-piperidinyl]-N-phenylpropanamide);  
20          (10) Betameprodine;  
21          (11) Betamethadol;  
22          (12) Betaprodine;  
23          (13) Clonitazene;  
24          (14) Dextromoramide;  
25          (15) Diampromide;  
26          (16) Diethylthiambutene;



- 1 (17) Difenoquin;
- 2 (18) Dimenoxadol;
- 3 (19) Dimepheptanol;
- 4 (20) Dimethylthiambutene;
- 5 (21) Dioxaphetylbutyrate;
- 6 (22) Dipipanone;
- 7 (23) Ethylmethylthiambutene;
- 8 (24) Etonitazene;
- 9 (25) Etozeridine;
- 10 (26) Furethidine;
- 11 (27) Hydroxypethidine;
- 12 (28) Ketobemidone;
- 13 (29) Levomoramide;
- 14 (30) Levophenacylmorphane;
- 15 (31) 3-Methylfentanyl
- 16 (N-[ 3-methyl-1-(2-phenylethyl)-
- 17 4-piperidyl] -N-phenylpropanamide);
- 18 (31.1) 3-Methylthiofentanyl
- 19 (N-[ (3-methyl-1-(2-thienyl)ethyl-
- 20 4-piperidinyl] -N-phenylpropanamide);
- 21 (32) Morpheridine;
- 22 (33) Noracymethadol;
- 23 (34) Norlevorphanol;
- 24 (35) Normethadone;
- 25 (36) Norpipanone;
- 26 (36.1) Para-fluorofentanyl

1 (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-  
2 4-piperidinyl]propanamide);  
3 (37) Phenadoxone;  
4 (38) Phenampromide;  
5 (39) Phenomorphan;  
6 (40) Phenoperidine;  
7 (41) Piritramide;  
8 (42) Proheptazine;  
9 (43) Properidine;  
10 (44) Propiram;  
11 (45) Racemoramide;  
12 (45.1) Thiofentanyl  
13 (N-phenyl-N-[1-(2-thienyl)ethyl-  
14 4-piperidinyl]-propanamide);  
15 (46) Tilidine;  
16 (47) Trimeperidine;  
17 (48) Beta-hydroxy-3-methylfentanyl (other name:  
18 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-  
19 N-phenylpropanamide).

20 (c) Unless specifically excepted or unless listed in  
21 another schedule, any of the following opium derivatives, its  
22 salts, isomers and salts of isomers, whenever the existence of  
23 such salts, isomers and salts of isomers is possible within the  
24 specific chemical designation:

25 (1) Acetorphine;  
26 (2) Acetyldihydrocodeine;

- 1 (3) Benzylmorphine;
- 2 (4) Codeine methylbromide;
- 3 (5) Codeine-N-Oxide;
- 4 (6) Cyprenorphine;
- 5 (7) Desomorphine;
- 6 (8) Diacetyldihydromorphine (Dihydroheroin);
- 7 (9) Dihydromorphine;
- 8 (10) Drotebanol;
- 9 (11) Etorphine (except hydrochloride salt);
- 10 (12) Heroin;
- 11 (13) Hydromorphenol;
- 12 (14) Methyldesorphine;
- 13 (15) Methyldihydromorphine;
- 14 (16) Morphine methylbromide;
- 15 (17) Morphine methylsulfonate;
- 16 (18) Morphine-N-Oxide;
- 17 (19) Myrophine;
- 18 (20) Nicocodeine;
- 19 (21) Nicomorphine;
- 20 (22) Normorphine;
- 21 (23) Pholcodine;
- 22 (24) Thebacon.

23 (d) Unless specifically excepted or unless listed in  
24 another schedule, any material, compound, mixture, or  
25 preparation which contains any quantity of the following  
26 hallucinogenic substances, or which contains any of its salts,

1 isomers and salts of isomers, whenever the existence of such  
2 salts, isomers, and salts of isomers is possible within the  
3 specific chemical designation (for the purposes of this  
4 paragraph only, the term "isomer" includes the optical,  
5 position and geometric isomers):

6 (1) 3,4-methylenedioxyamphetamine

7 (alpha-methyl,3,4-methylenedioxyphenethylamine,  
8 methylenedioxyamphetamine, MDA);

9 (1.1) Alpha-ethyltryptamine

10 (some trade or other names: etryptamine;  
11 MONASE; alpha-ethyl-1H-indole-3-ethanamine;  
12 3-(2-aminobutyl)indole; a-ET; and AET);

13 (2) 3,4-methylenedioxymethamphetamine (MDMA);

14 (2.1) 3,4-methylenedioxy-N-ethylamphetamine

15 (also known as: N-ethyl-alpha-methyl-  
16 3,4(methylenedioxy) Phenethylamine, N-ethyl MDA, MDE,  
17 and MDEA);

18 (2.2) N-Benzylpiperazine (BZP);

19 (3) 3-methoxy-4,5-methylenedioxyamphetamine, (MMDA);

20 (4) 3,4,5-trimethoxyamphetamine (TMA);

21 (5) (Blank);

22 (6) Diethyltryptamine (DET);

23 (7) Dimethyltryptamine (DMT);

24 (7.1) 5-Methoxy-diallyltryptamine;

25 (8) 4-methyl-2,5-dimethoxyamphetamine (DOM, STP);

26 (9) Ibogaine (some trade and other names:

1 7-ethyl-6,6,beta,7,8,9,10,12,13-octahydro-2-methoxy-  
2 6,9-methano-5H-pyrido [ 1',2':1,2] azepino [ 5,4-b]  
3 indole; Tabernanthe iboga);

4 (10) Lysergic acid diethylamide;

5 (10.1) Salvinorin A;

6 (10.5) Salvia divinorum (meaning all parts of the plant  
7 presently classified botanically as Salvia divinorum,  
8 whether growing or not, the seeds thereof, any extract from  
9 any part of that plant, and every compound, manufacture,  
10 salts, isomers, and salts of isomers whenever the existence  
11 of such salts, isomers, and salts of isomers is possible  
12 within the specific chemical designation, derivative,  
13 mixture, or preparation of that plant, its seeds or  
14 extracts);

15 (11) 3,4,5-trimethoxyphenethylamine (Mescaline);

16 (12) Peyote (meaning all parts of the plant presently  
17 classified botanically as Lophophora williamsii Lemaire,  
18 whether growing or not, the seeds thereof, any extract from  
19 any part of that plant, and every compound, manufacture,  
20 salts, derivative, mixture, or preparation of that plant,  
21 its seeds or extracts);

22 (13) N-ethyl-3-piperidyl benzilate (JB 318);

23 (14) N-methyl-3-piperidyl benzilate;

24 (14.1) N-hydroxy-3,4-methylenedioxyamphetamine  
25 (also known as N-hydroxy-alpha-methyl-  
26 3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);

- 1           (15) Parahexyl; some trade or other names:  
2           3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-  
3           dibenzo (b,d) pyran; Synhexyl;
- 4           (16) Psilocybin;
- 5           (17) Psilocyn;
- 6           (18) Alpha-methyltryptamine (AMT);
- 7           (19) 2,5-dimethoxyamphetamine  
8           (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);
- 9           (20) 4-bromo-2,5-dimethoxyamphetamine  
10           (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine;  
11           4-bromo-2,5-DMA);
- 12           (20.1) 4-Bromo-2,5 dimethoxyphenethylamine.  
13           Some trade or other names: 2-(4-bromo-  
14           2,5-dimethoxyphenyl)-1-aminoethane;  
15           alpha-desmethyl DOB, 2CB, Nexus;
- 16           (21) 4-methoxyamphetamine  
17           (4-methoxy-alpha-methylphenethylamine;  
18           paramethoxyamphetamine; PMA);
- 19           (22) (Blank);
- 20           (23) Ethylamine analog of phencyclidine.  
21           Some trade or other names:  
22           N-ethyl-1-phenylcyclohexylamine,  
23           (1-phenylcyclohexyl) ethylamine,  
24           N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;
- 25           (24) Pyrrolidine analog of phencyclidine. Some trade  
26           or other names: 1-(1-phenylcyclohexyl) pyrrolidine, PCPy,

1           PHP;

2           (25) 5-methoxy-3,4-methylenedioxy-amphetamine;

3           (26) 2,5-dimethoxy-4-ethylamphetamine

4           (another name: DOET);

5           (27) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine

6           (another name: TCPy);

7           (28) (Blank);

8           (29) Thiophene analog of phencyclidine (some trade

9           or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine;

10          2-thienyl analog of phencyclidine; TCP; TCP);

11          (30) Bufotenine (some trade or other names:

12          3-(Beta-Dimethylaminoethyl)-5-hydroxyindole;

13          3-(2-dimethylaminoethyl)-5-indolol;

14          5-hydroxy-N,N-dimethyltryptamine;

15          N,N-dimethylserotonin; mappine);

16          (31) 1-Pentyl-3-(1-naphthoyl)indole

17          Some trade or other names: JWH-018;

18          (32) 1-Butyl-3-(1-naphthoyl)indole

19          Some trade or other names: JWH-073;

20          (33) 1-[ (5-fluoropentyl)-1H-indol-3-yl] -

21          (2-iodophenyl)methanone

22          Some trade or other names: AM-694;

23          (34) 2-[ (1R,3S)-3-hydroxycyclohexyl] -5-

24          (2-methyloctan-2-yl)phenol

25          Some trade or other names: CP 47,497 ~~47,497~~

26          and its C6, C8 and C9 homologs;

1            (34.5) ~~(33)~~ 2-[ (1R,3S)-3-hydroxycyclohexyl]-5-  
2            (2-methyloctan-2-yl)phenol), where side chain n=5;  
3            and homologues where side chain n=4, 6, or 7; Some  
4            trade or other names: CP 47,497;

5            (35) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-  
6            (2-methyloctan-2-yl)-6a,7,  
7            10,10a-tetrahydrobenzo[ c] chromen-1-ol  
8            Some trade or other names: HU-210;

9            (35.5) ~~(34)~~ (6aS,10aS)-9-(hydroxymethyl)-6,6-  
10            dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-  
11            tetrahydrobenzo[ c] chromen-1-ol, its isomers,  
12            salts, and salts of isomers; Some trade or other  
13            names: HU-210, Dexanabinol;

14            (36) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-  
15            6,6-dimethyl-3-(2-methyloctan-2-yl)-  
16            6a,7,10,10a-tetrahydrobenzo[ c] chromen-1-ol  
17            Some trade or other names: HU-211;

18            (37) (2-methyl-1-propyl-1H-indol-  
19            3-yl)-1-naphthalenyl-methanone  
20            Some trade or other names: JWH-015;

21            (38) 4-methoxynaphthalen-1-yl-  
22            (1-pentylindol-3-yl)methanone  
23            Some trade or other names: JWH-081;

24            (39) ~~1~~-Pentyl-3-(4-methyl-1-naphthoyl)indole  
25            Some trade or other names: JWH-122;

26            (40) 2-(2-methylphenyl)-1-(1-pentyl-



1 1H-indol-3-yl)-ethanone

2 Some trade or other names: JWH-251;

3 (41) 1-(2-cyclohexylethyl)-3-

4 (2-methoxyphenylacetyl)indole

5 Some trade or other names: RCS-8, BTW-8 and SR-18;

6 (42) ~~(33)~~ Any compound structurally derived from

7 3-(1-naphthoyl)indole or 1H-indol-3-yl-

8 (1-naphthyl)methane by substitution at the

9 nitrogen atom of the indole ring by alkyl, haloalkyl,

10 alkenyl, cycloalkylmethyl, cycloalkylethyl or

11 2-(4-morpholinyl)ethyl whether or not further

12 substituted in the indole ring to any extent, whether

13 or not substituted in the naphthyl ring to any extent;

14 (43) ~~(34)~~ Any compound structurally derived from

15 3-(1-naphthoyl)pyrrole by substitution at the nitrogen

16 atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,

17 cycloalkylmethyl, cycloalkylethyl or

18 2-(4-morpholinyl)ethyl, whether or not further

19 substituted in the pyrrole ring to any extent, whether

20 or not substituted in the naphthyl ring to any extent;

21 (44) ~~(35)~~ Any compound structurally derived from

22 1-(1-naphthylmethyl)indene by substitution

23 at the 3-position of the indene ring by alkyl, haloalkyl,

24 alkenyl, cycloalkylmethyl, cycloalkylethyl or

25 2-(4-morpholinyl)ethyl whether or not further

26 substituted in the indene ring to any extent, whether

1 or not substituted in the naphthyl ring to any extent;

2 (45) ~~(36)~~ Any compound structurally derived from  
3 3-phenylacetylindole by substitution at the  
4 nitrogen atom of the indole ring with alkyl, haloalkyl,  
5 alkenyl, cycloalkylmethyl, cycloalkylethyl or  
6 2-(4-morpholinyl)ethyl, whether or not further  
7 substituted in the indole ring to any extent, whether  
8 or not substituted in the phenyl ring to any extent;

9 (46) ~~(37)~~ Any compound structurally derived from  
10 2-(3-hydroxycyclohexyl)phenol by substitution  
11 at the 5-position of the phenolic ring by alkyl,  
12 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl  
13 or 2-(4-morpholinyl)ethyl, whether or not substituted  
14 in the cyclohexyl ring to any extent;~~;~~

15 (47) ~~(33)~~ 3,4-Methylenedioxy methcathinone  
16 Some trade or other names: Methylone;

17 (48) ~~(34)~~ 3,4-Methyenedioxy pyrovalerone  
18 Some trade or other names: MDPV;

19 (49) ~~(35)~~ 4-Methylmethcathinone  
20 Some trade or other names: Mephedrone;

21 (50) ~~(36)~~ 4-methoxymethcathinone;

22 (51) ~~(37)~~ 4-Fluoromethcathinone;

23 (52) ~~(38)~~ 3-Fluoromethcathinone;~~;~~

24 (53) ~~(35)~~ 2,5-Dimethoxy-4-(n)-propylthio-  
25 phenethylamine;

26 (54) ~~(36)~~ 5-Methoxy-N,N-diisopropyltryptamine;~~;~~

1           (55) Pentedrone.

2           (e) Unless specifically excepted or unless listed in  
3 another schedule, any material, compound, mixture, or  
4 preparation which contains any quantity of the following  
5 substances having a depressant effect on the central nervous  
6 system, including its salts, isomers, and salts of isomers  
7 whenever the existence of such salts, isomers, and salts of  
8 isomers is possible within the specific chemical designation:

9           (1) mecloqualone;

10          (2) methaqualone; and

11          (3) gamma hydroxybutyric acid.

12          (f) Unless specifically excepted or unless listed in  
13 another schedule, any material, compound, mixture, or  
14 preparation which contains any quantity of the following  
15 substances having a stimulant effect on the central nervous  
16 system, including its salts, isomers, and salts of isomers:

17          (1) Fenethylline;

18          (2) N-ethylamphetamine;

19          (3) Aminorex (some other names:

20           2-amino-5-phenyl-2-oxazoline; aminoxaphen;

21           4-5-dihydro-5-phenyl-2-oxazolamine) and its

22           salts, optical isomers, and salts of optical isomers;

23          (4) Methcathinone (some other names:

24           2-methylamino-1-phenylpropan-1-one;

25           Ephedrone; 2-(methylamino)-propiofenone;

26           alpha-(methylamino)propiofenone; N-methylcathinone;

1           methcathinone; Monomethylpropion; UR 1431) and its  
2           salts, optical isomers, and salts of optical isomers;

3           (5) Cathinone (some trade or other names:  
4           2-aminopropiophenone; alpha-aminopropiophenone;  
5           2-amino-1-phenyl-propanone; norephedrone);

6           (6) N,N-dimethylamphetamine (also known as:  
7           N,N-alpha-trimethyl-benzeneethanamine;  
8           N,N-alpha-trimethylphenethylamine);

9           (7) (+ or -) cis-4-methylaminorex ((+ or -) cis-  
10          4,5-dihydro-4-methyl-4-5-phenyl-2-oxazolamine);

11          (8) 3,4-Methylenedioxypropylamphetamine (MDPV).

12          (g) Temporary listing of substances subject to emergency  
13          scheduling. Any material, compound, mixture, or preparation  
14          that contains any quantity of the following substances:

15           (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide  
16           (benzylfentanyl), its optical isomers, isomers, salts,  
17           and salts of isomers;

18           (2) N-[1(2-thienyl)  
19           methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl),  
20           its optical isomers, salts, and salts of isomers.

21          (Source: P.A. 96-347, eff. 1-1-10; 96-1285, eff. 1-1-11;  
22          97-192, eff. 7-22-11; 97-193, eff. 1-1-12; 97-194, eff.  
23          7-22-11; 97-334, eff. 1-1-12; revised 9-14-11.)

24          Section 15. The Drug Paraphernalia Control Act is amended  
25          by changing Section 2 as follows:

1 (720 ILCS 600/2) (from Ch. 56 1/2, par. 2102)

2 Sec. 2. As used in this Act, unless the context otherwise  
3 requires:

4 (a) The term "cannabis" shall have the meaning ascribed to  
5 it in Section 3 of the Cannabis Control Act, as if that  
6 definition were incorporated herein.

7 (b) The term "controlled substance" shall have the meaning  
8 ascribed to it in Section 102 of the Illinois Controlled  
9 Substances Act, as if that definition were incorporated herein.

10 (c) "Deliver" or "delivery" means the actual, constructive  
11 or attempted transfer of possession, with or without  
12 consideration, whether or not there is an agency relationship.

13 (d) "Drug paraphernalia" means all equipment, products and  
14 materials of any kind, other than methamphetamine  
15 manufacturing materials as defined in Section 10 of the  
16 Methamphetamine Control and Community Protection Act, which  
17 are intended to be used unlawfully in planting, propagating,  
18 cultivating, growing, harvesting, manufacturing, compounding,  
19 converting, producing, processing, preparing, testing,  
20 analyzing, packaging, repackaging, storing, containing,  
21 concealing, injecting, ingesting, inhaling or otherwise  
22 introducing into the human body cannabis or a controlled  
23 substance in violation of the Cannabis Control Act, the  
24 Illinois Controlled Substances Act, or the Methamphetamine  
25 Control and Community Protection Act or a synthetic drug

1 product or misbranded drug in violation of the Illinois Food,  
2 Drug and Cosmetic Act. It includes, but is not limited to:

3 (1) kits intended to be used unlawfully in  
4 manufacturing, compounding, converting, producing,  
5 processing or preparing cannabis or a controlled  
6 substance;

7 (2) isomerization devices intended to be used  
8 unlawfully in increasing the potency of any species of  
9 plant which is cannabis or a controlled substance;

10 (3) testing equipment intended to be used unlawfully in  
11 a private home for identifying or in analyzing the  
12 strength, effectiveness or purity of cannabis or  
13 controlled substances;

14 (4) diluents and adulterants intended to be used  
15 unlawfully for cutting cannabis or a controlled substance  
16 by private persons;

17 (5) objects intended to be used unlawfully in  
18 ingesting, inhaling, or otherwise introducing cannabis,  
19 cocaine, hashish, ~~or~~ hashish oil, or a synthetic drug  
20 product or misbranded drug in violation of the Illinois  
21 Food, Drug and Cosmetic Act into the human body including,  
22 where applicable, the following items:

23 (A) water pipes;

24 (B) carburetion tubes and devices;

25 (C) smoking and carburetion masks;

26 (D) miniature cocaine spoons and cocaine vials;

1 (E) carburetor pipes;

2 (F) electric pipes;

3 (G) air-driven pipes;

4 (H) chillums;

5 (I) bongs;

6 (J) ice pipes or chillers;

7 (6) any item whose purpose, as announced or described  
8 by the seller, is for use in violation of this Act.

9 (Source: P.A. 93-526, eff. 8-12-03; 94-556, eff. 9-11-05.)

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