



Sen. Kwame Raoul

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1 AMENDMENT TO HOUSE BILL 5233

2 AMENDMENT NO. _____. Amend House Bill 5233 by replacing
3 everything after the enacting clause with the following:

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

1 specified in clause (1), (2) or (3); but does not include
2 devices or their components, parts or accessories.

3 (b) "Synthetic drug product" means any product that
4 contains a substance defined as a controlled substance under
5 subsections (d) and (e) of Section 204 of the Illinois
6 Controlled Substances Act. Products approved by the U.S. Food
7 and Drug Administration for human consumption are not synthetic
8 drug products.

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

10 (410 ILCS 620/3.22) (from Ch. 56 1/2, par. 503.22)

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

20 (b) Whoever distributes, or possesses with intent to
21 distribute, a synthetic drug product or a drug that is
22 misbranded under this Act is guilty of a Class 2 felony and may
23 be fined an amount not to exceed \$100,000. A person convicted
24 of a second or subsequent violation of this Section is guilty
25 of a Class 1 felony, the fine for which shall not exceed

1 \$250,000.

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

5 (d) Whoever commits any offense set forth in this Section
6 and the offense involves an individual under 18 years of age is
7 punishable by not more than 10 years imprisonment, and twice
8 the fine authorized above. Any conviction for a violation of
9 this Section shall be considered a violation of the Illinois
10 Controlled Substances Act for the purposes of forfeiture under
11 Section 505 of such Act. ~~As used in this Section the term~~
12 ~~"human growth hormone" means somatrem, somatropin, or an~~
13 ~~analogue of either of them. The Department of State Police and~~
14 ~~Department of Professional Regulation are authorized to~~
15 ~~investigate offenses punishable by this Section.~~

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

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

20 (410 ILCS 620/5) (from Ch. 56 1/2, par. 505)

21 Sec. 5. (a) A person who violates any of the provisions of
22 this Act, other than Sections 3.22 and 6, is guilty of a Class
23 C misdemeanor; but if the violation is committed after a
24 conviction of such person under this Section has become final,
25 the person shall be guilty of a Class A misdemeanor. A person

1 who violates the provisions of Section 6 of this Act is guilty
2 of a Class A misdemeanor; but if the violation is committed
3 after a conviction of such person under this Section has become
4 final, the person shall be guilty of a Class 4 felony.

5 (b) No person is subject to the penalties of subsection (a)
6 of this Section for (1) violating Section 3.1 or 3.3 if he
7 establishes a guaranty or undertaking signed by and containing
8 the name and address of the person residing in the State of
9 Illinois from whom he received the article in good faith, to
10 the effect that the article is not adulterated ~~or misbranded~~
11 within the meaning of this Act, designating this Act; or (2)
12 for having violated clause (2) of Section 3.16 if such person
13 acted in good faith and had no reason to believe that the use
14 of the punch, die, plate, stone or other thing involved would
15 result in a drug being a counterfeit drug, or for having
16 violated clause (3) of Section 3.16 if the person doing the act
17 or causing it to be done acted in good faith and had no reason
18 to believe that the drug was a counterfeit drug.

19 (c) No publisher, radio-broadcast licensee, agency or
20 medium for the dissemination of an advertisement, except the
21 manufacturer, packer, distributor or seller of the article to
22 which a false advertisement relates is liable under this
23 Section for the dissemination of such false advertisement
24 unless he has refused on the request of the Director to furnish
25 the Director the name and post office address of the
26 manufacturer, packer, distributor, seller or advertising

1 agency residing in the State of Illinois who causes him to
2 disseminate such advertisement.

3 (d) No person shall be subject to the penalties of
4 subsection (a) of this Section for a violation of Section 3
5 involving misbranded food if the violation exists solely
6 because the food is misbranded under subsection (c) of Section
7 11 because of its advertising, and no person shall be subject
8 to the penalties of subsection (a) of this Section for such a
9 violation unless the violation is committed with the intent to
10 defraud or mislead.

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

12 (410 ILCS 620/6) (from Ch. 56 1/2, par. 506)

13 Sec. 6. (a) When an authorized agent of the Director finds
14 or has probable cause to believe that any food, drug, device or
15 cosmetic is adulterated or so misbranded as to be dangerous or
16 fraudulent within the meaning of this Act, ~~or~~ is in violation
17 of Section 12, 17 or 17.1 of this Act, or is suspected to be a
18 synthetic drug product, he or she shall affix to such article a
19 tag or other appropriate marking giving notice that the article
20 is or is suspected of being adulterated or misbranded and has
21 been detained or embargoed and warning all persons not to
22 remove or dispose of such article by sale or otherwise until
23 permission for removal or disposal is given by such agent or
24 the court. It is unlawful for any person to remove or dispose
25 of such detained or embargoed article by sale or otherwise

1 without such permission.

2 (b) When an article detained or embargoed under subsection
3 (a) of this Section is found by such agent to be adulterated or
4 misbranded or to be in violation of Section 12, 17 or 17.1 of
5 this Act or is suspected to be a synthetic drug product, he or
6 she shall petition the circuit court in whose jurisdiction the
7 article is detained or embargoed for a libel for condemnation
8 of such article. When such agent finds that an article so
9 detained or embargoed is not adulterated or misbranded or is
10 not a synthetic drug product, he or she shall remove the tag or
11 other marking.

12 (c) If the court finds that a detained or embargoed article
13 is adulterated or misbranded, such article shall, after entry
14 of the judgment, be destroyed at the expense of the claimant
15 thereof, under the supervision of such agent, and all court
16 costs and fees, and storage and other proper expenses, shall be
17 taxed against the claimant of such article or his or her agent.
18 However, when the adulteration or misbranding can be corrected
19 by proper labeling or processing of the article, the court,
20 after entry of the judgment and after such costs, fees and
21 expenses have been paid and a good and sufficient bond,
22 conditioned that such article shall be so labeled or processed,
23 has been executed, may by order direct that such article be
24 delivered to the claimant thereof for such labeling or
25 processing under the supervision of an agent of the Director.
26 The expense of such supervision shall be paid by the claimant.

1 The article shall be returned to the claimant and the bond
2 shall be discharged on the representation to the court by the
3 Director that the article is no longer in violation of this
4 Act, and that the expenses of such supervision have been paid.

5 (d) Whenever the Director or any of his or her authorized
6 agents finds in any room, building, vehicle of transportation
7 or other structure, any meat, sea food, poultry, vegetable,
8 fruit or other perishable articles which contain any filthy,
9 decomposed or putrid substance, or that may be poisonous or
10 deleterious to health or otherwise unsafe, the same being
11 hereby declared to be a nuisance, the Director or his or her
12 authorized agent shall condemn or destroy the same, or in any
13 other manner render the same unusable as human food.

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

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

17 (720 ILCS 570/204) (from Ch. 56 1/2, par. 1204)

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

20 (b) Unless specifically excepted or unless listed in
21 another schedule, any of the following opiates, including their
22 isomers, esters, ethers, salts, and salts of isomers, esters,
23 and ethers, whenever the existence of such isomers, esters,
24 ethers and salts is possible within the specific chemical

1 designation:

2 (1) Acetylmethadol;

3 (1.1) Acetyl-alpha-methylfentanyl

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

5 4-piperidiny] -N-phenylacetamide);

6 (2) Allylprodine;

7 (3) Alphacetylmethadol, except

8 levo-alphacetylmethadol (also known as levo-alpha-

9 acetylmethadol, levomethadyl acetate, or LAAM);

10 (4) Alphameprodine;

11 (5) Alphamethadol;

12 (6) Alpha-methylfentanyl

13 (N-(1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl)

14 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-

15 propanilido) piperidine;

16 (6.1) Alpha-methylthiofentanyl

17 (N-[1-methyl-2-(2-thienyl)ethyl-

18 4-piperidiny] -N-phenylpropanamide);

19 (7) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);

20 (7.1) PEPAP

21 (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);

22 (8) Benzethidine;

23 (9) Betacetylmethadol;

24 (9.1) Beta-hydroxyfentanyl

25 (N-[1-(2-hydroxy-2-phenethyl)-

26 4-piperidiny] -N-phenylpropanamide);

- 1 (10) Betameprodine;
- 2 (11) Betamethadol;
- 3 (12) Betaprodine;
- 4 (13) Clonitazene;
- 5 (14) Dextromoramide;
- 6 (15) Diampromide;
- 7 (16) Diethylthiambutene;
- 8 (17) Difenoquin;
- 9 (18) Dimenoxadol;
- 10 (19) Dimepheptanol;
- 11 (20) Dimethylthiambutene;
- 12 (21) Dioxaphetylbutyrate;
- 13 (22) Dipipanone;
- 14 (23) Ethylmethylthiambutene;
- 15 (24) Etonitazene;
- 16 (25) Etoxadine;
- 17 (26) Furethidine;
- 18 (27) Hydroxypethidine;
- 19 (28) Ketobemidone;
- 20 (29) Levomoramide;
- 21 (30) Levophenacymorphan;
- 22 (31) 3-Methylfentanyl
- 23 (N-[3-methyl-1-(2-phenylethyl)-
- 24 4-piperidyl] -N-phenylpropanamide);
- 25 (31.1) 3-Methylthiofentanyl
- 26 (N-[(3-methyl-1-(2-thienyl)ethyl-

1 4-piperidinyl] -N-phenylpropanamide);
2 (32) Morpheridine;
3 (33) Noracymethadol;
4 (34) Norlevorphanol;
5 (35) Normethadone;
6 (36) Norpipanone;
7 (36.1) Para-fluorofentanyl
8 (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-
9 4-piperidinyl] propanamide);
10 (37) Phenadoxone;
11 (38) Phenampromide;
12 (39) Phenomorphan;
13 (40) Phenoperidine;
14 (41) Piritramide;
15 (42) Proheptazine;
16 (43) Properidine;
17 (44) Propiram;
18 (45) Racemoramide;
19 (45.1) Thiofentanyl
20 (N-phenyl-N-[1-(2-thienyl)ethyl-
21 4-piperidinyl] -propanamide);
22 (46) Tilidine;
23 (47) Trimeperidine;
24 (48) Beta-hydroxy-3-methylfentanyl (other name:
25 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl] -
26 N-phenylpropanamide).

1 (c) Unless specifically excepted or unless listed in
2 another schedule, any of the following opium derivatives, its
3 salts, isomers and salts of isomers, whenever the existence of
4 such salts, isomers and salts of isomers is possible within the
5 specific chemical designation:

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

1 (22) Normorphine;

2 (23) Pholcodine;

3 (24) Thebacon.

4 (d) Unless specifically excepted or unless listed in
5 another schedule, any material, compound, mixture, or
6 preparation which contains any quantity of the following
7 hallucinogenic substances, or which contains any of its salts,
8 isomers and salts of isomers, whenever the existence of such
9 salts, isomers, and salts of isomers is possible within the
10 specific chemical designation (for the purposes of this
11 paragraph only, the term "isomer" includes the optical,
12 position and geometric isomers):

13 (1) 3,4-methylenedioxyamphetamine

14 (alpha-methyl,3,4-methylenedioxyphenethylamine,
15 methylenedioxyamphetamine, MDA);

16 (1.1) Alpha-ethyltryptamine

17 (some trade or other names: etryptamine;

18 MONASE; alpha-ethyl-1H-indole-3-ethanamine;

19 3-(2-aminobutyl)indole; a-ET; and AET);

20 (2) 3,4-methylenedioxymethamphetamine (MDMA);

21 (2.1) 3,4-methylenedioxy-N-ethylamphetamine

22 (also known as: N-ethyl-alpha-methyl-

23 3,4(methylenedioxy) Phenethylamine, N-ethyl MDA, MDE,

24 and MDEA);

25 (2.2) N-Benzylpiperazine (BZP);

26 (3) 3-methoxy-4,5-methylenedioxyamphetamine, (MMDA);

- 1 (4) 3,4,5-trimethoxyamphetamine (TMA);
- 2 (5) (Blank);
- 3 (6) Diethyltryptamine (DET);
- 4 (7) Dimethyltryptamine (DMT);
- 5 (7.1) 5-Methoxy-diallyltryptamine;
- 6 (8) 4-methyl-2,5-dimethoxyamphetamine (DOM, STP);
- 7 (9) Ibogaine (some trade and other names:
- 8 7-ethyl-6,6,beta,7,8,9,10,12,13-octahydro-2-methoxy-
- 9 6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b]
- 10 indole; Tabernanthe iboga);
- 11 (10) Lysergic acid diethylamide;
- 12 (10.1) Salvinorin A;
- 13 (10.5) Salvia divinorum (meaning all parts of the plant
- 14 presently classified botanically as Salvia divinorum,
- 15 whether growing or not, the seeds thereof, any extract from
- 16 any part of that plant, and every compound, manufacture,
- 17 salts, isomers, and salts of isomers whenever the existence
- 18 of such salts, isomers, and salts of isomers is possible
- 19 within the specific chemical designation, derivative,
- 20 mixture, or preparation of that plant, its seeds or
- 21 extracts);
- 22 (11) 3,4,5-trimethoxyphenethylamine (Mescaline);
- 23 (12) Peyote (meaning all parts of the plant presently
- 24 classified botanically as Lophophora williamsii Lemaire,
- 25 whether growing or not, the seeds thereof, any extract from
- 26 any part of that plant, and every compound, manufacture,

1 salts, derivative, mixture, or preparation of that plant,
2 its seeds or extracts);

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

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

5 (14.1) N-hydroxy-3,4-methylenedioxyamphetamine

6 (also known as N-hydroxy-alpha-methyl-

7 3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);

8 (15) Parahexyl; some trade or other names:

9 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
10 dibenzo (b,d) pyran; Synhexyl;

11 (16) Psilocybin;

12 (17) Psilocyn;

13 (18) Alpha-methyltryptamine (AMT);

14 (19) 2,5-dimethoxyamphetamine

15 (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);

16 (20) 4-bromo-2,5-dimethoxyamphetamine

17 (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine;

18 4-bromo-2,5-DMA);

19 (20.1) 4-Bromo-2,5 dimethoxyphenethylamine.

20 Some trade or other names: 2-(4-bromo-

21 2,5-dimethoxyphenyl)-1-aminoethane;

22 alpha-desmethyl DOB, 2CB, Nexus;

23 (21) 4-methoxyamphetamine

24 (4-methoxy-alpha-methylphenethylamine;

25 paramethoxyamphetamine; PMA);

26 (22) (Blank);

1 (23) Ethylamine analog of phencyclidine.

2 Some trade or other names:

3 N-ethyl-1-phenylcyclohexylamine,

4 (1-phenylcyclohexyl) ethylamine,

5 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

6 (24) Pyrrolidine analog of phencyclidine. Some trade

7 or other names: 1-(1-phenylcyclohexyl) pyrrolidine, PCPy,

8 PHP;

9 (25) 5-methoxy-3,4-methylenedioxy-amphetamine;

10 (26) 2,5-dimethoxy-4-ethylamphetamine

11 (another name: DOET);

12 (27) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine

13 (another name: TCPy);

14 (28) (Blank);

15 (29) Thiophene analog of phencyclidine (some trade

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

17 2-thienyl analog of phencyclidine; TPCP; TCP);

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

19 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole;

20 3-(2-dimethylaminoethyl)-5-indolol;

21 5-hydroxy-N,N-dimethyltryptamine;

22 N,N-dimethylserotonin; mappine);

23 (31) 1-Pentyl-3-(1-naphthoyl)indole

24 Some trade or other names: JWH-018;

25 (32) 1-Butyl-3-(1-naphthoyl)indole

26 Some trade or other names: JWH-073;

1 (33) 1-[(5-fluoropentyl)-1H-indol-3-yl] -
2 (2-iodophenyl)methanone

3 Some trade or other names: AM-694;

4 (34) 2-[(1R,3S)-3-hydroxycyclohexyl] -5-
5 (2-methyloctan-2-yl)phenol

6 Some trade or other names: CP 47,497 ~~47,497~~
7 and its C6, C8 and C9 homologs;

8 (34.5) ~~(33)~~ 2-[(1R,3S)-3-hydroxycyclohexyl] -5-
9 (2-methyloctan-2-yl)phenol), where side chain n=5;
10 and homologues where side chain n=4, 6, or 7; Some
11 trade or other names: CP 47,497;

12 (35) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
13 (2-methyloctan-2-yl)-6a,7,
14 10,10a-tetrahydrobenzo[c] chromen-1-ol
15 Some trade or other names: HU-210;

16 (35.5) ~~(34)~~ (6aS,10aS)-9-(hydroxymethyl)-6,6-
17 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
18 tetrahydrobenzo[c] chromen-1-ol, its isomers,
19 salts, and salts of isomers; Some trade or other
20 names: HU-210, Dexanabinol;

21 (36) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-
22 6,6-dimethyl-3-(2-methyloctan-2-yl)-
23 6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol
24 Some trade or other names: HU-211;

25 (37) (2-methyl-1-propyl-1H-indol-
26 3-yl)-1-naphthalenyl-methanone

1 Some trade or other names: JWH-015;

2 (38) 4-methoxynaphthalen-1-yl-

3 (1-pentylindol-3-yl)methanone

4 Some trade or other names: JWH-081;

5 (39) ~~1-Pentyl-3-(4-methyl-1-naphthoyl)indole~~

6 Some trade or other names: JWH-122;

7 (40) 2-(2-methylphenyl)-1-(1-pentyl-

8 1H-indol-3-yl)-ethanone

9 Some trade or other names: JWH-251;

10 (41) 1-(2-cyclohexylethyl)-3-

11 (2-methoxyphenylacetyl)indole

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

13 (42) ~~(33)~~ Any compound structurally derived from

14 3-(1-naphthoyl)indole or 1H-indol-3-yl-

15 (1-naphthyl)methane by substitution at the

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

17 alkenyl, cycloalkylmethyl, cycloalkylethyl or

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

19 substituted in the indole ring to any extent, whether

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

21 (43) ~~(34)~~ Any compound structurally derived from

22 3-(1-naphthoyl)pyrrole by substitution at the nitrogen

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

24 cycloalkylmethyl, cycloalkylethyl or

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

26 substituted in the pyrrole ring to any extent, whether

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

2 (44) ~~(35)~~ Any compound structurally derived from
3 1-(1-naphthylmethyl)indene by substitution
4 at the 3-position of the indene ring by alkyl, haloalkyl,
5 alkenyl, cycloalkylmethyl, cycloalkylethyl or
6 2-(4-morpholinyl)ethyl whether or not further
7 substituted in the indene ring to any extent, whether
8 or not substituted in the naphthyl ring to any extent;

9 (45) ~~(36)~~ Any compound structurally derived from
10 3-phenylacetylindole by substitution at the
11 nitrogen atom of the indole ring with alkyl, haloalkyl,
12 alkenyl, cycloalkylmethyl, cycloalkylethyl or
13 2-(4-morpholinyl)ethyl, whether or not further
14 substituted in the indole ring to any extent, whether
15 or not substituted in the phenyl ring to any extent;

16 (46) ~~(37)~~ Any compound structurally derived from
17 2-(3-hydroxycyclohexyl)phenol by substitution
18 at the 5-position of the phenolic ring by alkyl,
19 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl
20 or 2-(4-morpholinyl)ethyl, whether or not substituted
21 in the cyclohexyl ring to any extent;:-

22 (47) ~~(33)~~ 3,4-Methylenedioxymethcathinone
23 Some trade or other names: Methylone;

24 (48) ~~(34)~~ 3,4-Methyenedioxypyrovalerone
25 Some trade or other names: MDPV;

26 (49) ~~(35)~~ 4-Methylmethcathinone

1 Some trade or other names: Mephedrone;

2 (50) ~~(36)~~ 4-methoxymethcathinone;

3 (51) ~~(37)~~ 4-Fluoromethcathinone;

4 (52) ~~(38)~~ 3-Fluoromethcathinone;~~;~~

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

7 (54) ~~(36)~~ 5-Methoxy-N,N-diisopropyltryptamine;~~;~~

8 (55) Pentedrone.

9 (e) Unless specifically excepted or unless listed in
10 another schedule, any material, compound, mixture, or
11 preparation which contains any quantity of the following
12 substances having a depressant effect on the central nervous
13 system, including its salts, isomers, and salts of isomers
14 whenever the existence of such salts, isomers, and salts of
15 isomers is possible within the specific chemical designation:

16 (1) mecloqualone;

17 (2) methaqualone; and

18 (3) gamma hydroxybutyric acid.

19 (f) Unless specifically excepted or unless listed in
20 another schedule, any material, compound, mixture, or
21 preparation which contains any quantity of the following
22 substances having a stimulant effect on the central nervous
23 system, including its salts, isomers, and salts of isomers:

24 (1) Fenethylamine;

25 (2) N-ethylamphetamine;

26 (3) Aminorex (some other names:

1 2-amino-5-phenyl-2-oxazoline; aminoxaphen;
2 4-5-dihydro-5-phenyl-2-oxazolamine) and its
3 salts, optical isomers, and salts of optical isomers;

4 (4) Methcathinone (some other names:
5 2-methylamino-1-phenylpropan-1-one;
6 Ephedrone; 2-(methylamino)-propiofenone;
7 alpha-(methylamino)propiofenone; N-methylcathinone;
8 methycathinone; Monomethylpropion; UR 1431) and its
9 salts, optical isomers, and salts of optical isomers;

10 (5) Cathinone (some trade or other names:
11 2-aminopropiofenone; alpha-aminopropiofenone;
12 2-amino-1-phenyl-propanone; norephedrone);

13 (6) N,N-dimethylamphetamine (also known as:
14 N,N-alpha-trimethyl-benzeneethanamine;
15 N,N-alpha-trimethylphenethylamine);

16 (7) (+ or -) cis-4-methylaminorex ((+ or -) cis-
17 4,5-dihydro-4-methyl-4-5-phenyl-2-oxazolamine);

18 (8) 3,4-Methylenedioxyprovalerone (MDPV).

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

22 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
23 (benzylfentanyl), its optical isomers, isomers, salts,
24 and salts of isomers;

25 (2) N-[1(2-thienyl)
26 methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl),

1 its optical isomers, salts, and salts of isomers.
2 (Source: P.A. 96-347, eff. 1-1-10; 96-1285, eff. 1-1-11;
3 97-192, eff. 7-22-11; 97-193, eff. 1-1-12; 97-194, eff.
4 7-22-11; 97-334, eff. 1-1-12; revised 9-14-11.)

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

7 (720 ILCS 600/2) (from Ch. 56 1/2, par. 2102)

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

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

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

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

19 (d) "Drug paraphernalia" means all equipment, products and
20 materials of any kind, other than methamphetamine
21 manufacturing materials as defined in Section 10 of the
22 Methamphetamine Control and Community Protection Act, which
23 are intended to be used unlawfully in planting, propagating,
24 cultivating, growing, harvesting, manufacturing, compounding,

1 converting, producing, processing, preparing, testing,
2 analyzing, packaging, repackaging, storing, containing,
3 concealing, injecting, ingesting, inhaling or otherwise
4 introducing into the human body cannabis or a controlled
5 substance in violation of the Cannabis Control Act, the
6 Illinois Controlled Substances Act, or the Methamphetamine
7 Control and Community Protection Act or a synthetic drug
8 product or misbranded drug in violation of the Illinois Food,
9 Drug and Cosmetic Act. It includes, but is not limited to:

10 (1) kits intended to be used unlawfully in
11 manufacturing, compounding, converting, producing,
12 processing or preparing cannabis or a controlled
13 substance;

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

17 (3) testing equipment intended to be used unlawfully in
18 a private home for identifying or in analyzing the
19 strength, effectiveness or purity of cannabis or
20 controlled substances;

21 (4) diluents and adulterants intended to be used
22 unlawfully for cutting cannabis or a controlled substance
23 by private persons;

24 (5) objects intended to be used unlawfully in
25 ingesting, inhaling, or otherwise introducing cannabis,
26 cocaine, hashish, ~~or~~ hashish oil, or a synthetic drug

1 product or misbranded drug in violation of the Illinois
2 Food, Drug and Cosmetic Act into the human body including,
3 where applicable, the following items:

4 (A) water pipes;

5 (B) carburetion tubes and devices;

6 (C) smoking and carburetion masks;

7 (D) miniature cocaine spoons and cocaine vials;

8 (E) carburetor pipes;

9 (F) electric pipes;

10 (G) air-driven pipes;

11 (H) chillums;

12 (I) bongs;

13 (J) ice pipes or chillers;

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

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."