

SB2509



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2509

Introduced 10/24/2011, by Sen. William Delgado

SYNOPSIS AS INTRODUCED:

720 ILCS 570/508

from Ch. 56 1/2, par. 1508

Amends the Illinois Controlled Substances Act. Provides that a treatment program involving the administration of Methadone may not be located within 1,000 feet of a school building or real property comprising any school that persons under 18 years of age attend. Provides that a home rule unit may not regulate Methadone clinics in a manner that is less restrictive than the manner provided in this provision. Effective immediately.

LRB097 14053 RLC 58694 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 508 as follows:

6 (720 ILCS 570/508) (from Ch. 56 1/2, par. 1508)

7 Sec. 508. (a) The Department shall encourage research on
8 controlled substances. In connection with the research, and in
9 furtherance of the purposes of this Act, the Department may:

10 (1) establish methods to assess accurately the effect
11 of controlled substances and identify and characterize
12 those with potential for abuse;

13 (2) make studies and undertake programs of research to:
14 (i) develop new or improved approaches,
15 techniques, systems, equipment and devices to
16 strengthen the enforcement of this Act;

17 (ii) determine patterns of use, misuse, and abuse
18 of controlled substances and their social effects; and

19 (iii) improve methods for preventing, predicting,
20 understanding, and dealing with the use, misuse and
21 abuse of controlled substances; and

22 (3) enter into contracts with public agencies,
23 educational institutions, and private organizations or

1 individuals for the purpose of conducting research,
2 demonstrations, or special projects which relate to the
3 use, misuse and abuse of controlled substances.

4 (b) Persons authorized to engage in research may be
5 authorized by the Department to protect the privacy of
6 individuals who are the subjects of such research by
7 withholding from all persons not connected with the conduct of
8 the research the names and other identifying characteristics of
9 such individuals. Persons who are given this authorization
10 shall not be compelled in any civil, criminal, administrative,
11 legislative or other proceeding to identify the individuals who
12 are the subjects of research for which the authorization was
13 granted, except to the extent necessary to permit the
14 Department to determine whether the research is being conducted
15 in accordance with the authorization.

16 (c) The Department may authorize the possession and
17 dispensing of controlled substances by persons engaged in
18 research, upon such terms and conditions as may be consistent
19 with the public health and safety. The Department may also
20 approve research and treatment programs involving the
21 administration of Methadone. The use of Methadone, or any
22 similar controlled substance by any person is prohibited in
23 this State except as approved and authorized by the Department
24 in accordance with its rules and regulations. To the extent of
25 the applicable authorization, persons are exempt from
26 prosecution in this State for possession, manufacture or

1 delivery of controlled substances.

2 (c-5) A treatment program involving the administration of
3 Methadone under this Section may not be located within 1,000
4 feet of a school building or real property comprising any
5 school that persons under 18 years of age attend. For purposes
6 of this subsection (c-5), "school" means a public or private
7 pre-school, elementary, or secondary school. A home rule unit
8 may not regulate Methadone clinics in a manner that is less
9 restrictive than the manner provided in this subsection (c-5).
10 This subsection (c-5) is a limitation under subsection (i) of
11 Section 6 of Article VII of the Illinois Constitution on the
12 concurrent exercise by home rule units of powers and functions
13 exercised by the State.

14 (d) Practitioners registered under Federal law to conduct
15 research with Schedule I substances may conduct research with
16 Schedule I substances within this State upon furnishing
17 evidence of that Federal registration and notification of the
18 scope and purpose of such research to the Department.

19 (Source: P.A. 96-328, eff. 8-11-09.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.