



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1311

by Rep. John D. Cavaletto

SYNOPSIS AS INTRODUCED:

720 ILCS 649/10

Amends the Methamphetamine Precursor Tracking Act. Defines "qualified outside entity" to include in addition to a law enforcement agency or prosecutor's office with authority to identify, investigate, or prosecute violations of the Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance: (1) any probation and court services department authorized by the Probation and Probation Officers Act; (2) the Department of Corrections; (3) the Department of Juvenile Justice; (4) the U.S. Probation and Pretrial Services System; and (5) the U.S. Parole Commission. Effective immediately.

LRB098 05581 RLC 35619 b

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 Methamphetamine Precursor Tracking Act is
5 amended by changing Section 10 as follows:

6 (720 ILCS 649/10)

7 Sec. 10. Definitions. In this Act:

8 "Administer" or "administration" has the meaning provided
9 in Section 102 of the Illinois Controlled Substances Act.

10 "Agent" has the meaning provided in Section 102 of the
11 Illinois Controlled Substances Act.

12 "Authorized representative" means an employee or agent of a
13 qualified outside entity who has been authorized in writing by
14 his or her agency or office to receive confidential information
15 from the central repository.

16 "Central Repository" means the entity chosen by the
17 Illinois State Police to handle electronic transaction records
18 as described in this Act.

19 "Convenience package" means any package that contains 360
20 milligrams or less of ephedrine or pseudoephedrine, their salts
21 or optical isomers, or salts of optical isomers in liquid or
22 liquid filled capsule form.

23 "Covered pharmacy" means any pharmacy that distributes any

1 amount of targeted methamphetamine precursor that is
2 physically located in Illinois.

3 "Deliver" has the meaning provided in Section 102 of the
4 Illinois Controlled Substances Act.

5 "Dispense" has the meaning provided in Section 102 of the
6 Illinois Controlled Substances Act.

7 "Distribute" has the meaning provided in Section 102 of the
8 Illinois Controlled Substances Act.

9 "Electronic transaction record" means, with respect to the
10 distribution of a targeted methamphetamine precursor by a
11 pharmacy to a recipient under Section 25 of the Methamphetamine
12 Precursor Control Act, an electronic record that includes: the
13 name and address of the recipient; date and time of the
14 transaction; brand and product name and total quantity
15 distributed of ephedrine or pseudoephedrine, their salts, or
16 optical isomers, or salts of optical isomers; identification
17 type and identification number of the identification presented
18 by the recipient; and the name and address of the pharmacy.

19 "Identification information" means identification type and
20 identification number.

21 "Identification number" means the number that appears on
22 the identification furnished by the recipient of a targeted
23 methamphetamine precursor.

24 "Identification type" means the type of identification
25 furnished by the recipient of a targeted methamphetamine
26 precursor such as, by way of example only, an Illinois driver's

1 license or United States passport.

2 "List I chemical" has the meaning provided in 21 U.S.C.
3 802.

4 "Methamphetamine precursor" has the meaning provided in
5 Section 10 of the Methamphetamine Control and Community
6 Protection Act.

7 "Package" means an item packaged and marked for retail sale
8 that is not designed to be further broken down or subdivided
9 for the purpose of retail sale.

10 "Pharmacist" has the meaning provided in Section 102 of the
11 Illinois Controlled Substances Act.

12 "Pharmacy" has the meaning provided in Section 102 of the
13 Illinois Controlled Substances Act.

14 "Practitioner" has the meaning provided in Section 102 of
15 the Illinois Controlled Substances Act.

16 "Prescriber" has the meaning provided in Section 102 of the
17 Illinois Controlled Substances Act.

18 "Prescription" has the meaning provided in Section 102 of
19 the Illinois Controlled Substances Act.

20 "Qualified outside entity" means:

21 (1) a law enforcement agency or prosecutor's office
22 with authority to identify, investigate, or prosecute
23 violations of this Act or any other State or federal law or
24 rule involving a methamphetamine precursor,
25 methamphetamine, or any other controlled substance;

26 (2) any probation and court services department

1 authorized by the Probation and Probation Officers Act;

2 (3) the Department of Corrections;

3 (4) the Department of Juvenile Justice;

4 (5) the U.S. Probation and Pretrial Services System; or

5 (6) the U.S. Parole Commission.

6 "Readily retrievable" has the meaning provided in 21 C.F.R.
7 part 1300.

8 "Recipient" means a person purchasing, receiving, or
9 otherwise acquiring a targeted methamphetamine precursor from
10 a pharmacy in Illinois, as described in Section 25 of the
11 Methamphetamine Precursor Control Act.

12 "Retail distributor" means a grocery store, general
13 merchandise store, drug store, other merchandise store, or
14 other entity or person whose activities as a distributor
15 relating to drug products containing targeted methamphetamine
16 precursor are limited exclusively or almost exclusively to
17 sales for personal use by an ultimate user, both in number of
18 sales and volume of sales, either directly to walk-in customers
19 or in face-to-face transactions by direct sales.

20 "Sales employee" means any employee or agent, other than a
21 pharmacist or pharmacy technician who at any time (1) operates
22 a cash register at which convenience packages may be sold, (2)
23 stocks shelves containing convenience packages, or (3) trains
24 or supervises any other employee or agent who engages in any of
25 the preceding activities.

26 "Single retail transaction" means a sale by a retail

1 distributor to a recipient at a specific time.

2 "Targeted methamphetamine precursor" means any compound,
3 mixture, or preparation that contains any detectable quantity
4 of ephedrine or pseudoephedrine, their salts or optical
5 isomers, or salts of optical isomers.

6 "Targeted package" means a package, including a
7 convenience package, containing any amount of targeted
8 methamphetamine precursor.

9 "Ultimate user" has the meaning provided in Section 102 of
10 the Illinois Controlled Substances Act.

11 (Source: P.A. 97-670, eff. 1-19-12.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.