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.