

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 302 as follows:

6 (720 ILCS 570/302) (from Ch. 56 1/2, par. 1302)

7 Sec. 302. (a) Every person who manufactures, distributes,
8 or dispenses any controlled substances; ~~or~~ engages in
9 chemical analysis, research, or ~~and~~ instructional activities
10 which utilize controlled substances; ~~or who~~ purchases,
11 stores, or administers euthanasia drugs, within this State;
12 provides canine odor detection services; ~~or who~~ proposes to
13 engage in the manufacture, distribution, or dispensing of any
14 controlled substance; ~~or~~ proposes ~~or~~ to engage in chemical
15 analysis, research, or ~~and~~ instructional activities which
16 utilize controlled substances; ~~or~~ proposes ~~or~~ to engage in
17 purchasing, storing, or administering euthanasia drugs; or
18 proposes to provide canine odor detection services, within this
19 State, must obtain a registration issued by the Department of
20 Financial and Professional Regulation in accordance with its
21 rules. The rules shall include, but not be limited to, setting
22 the expiration date and renewal period for each registration
23 under this Act. The Department, any facility or service

1 licensed by the Department, and any veterinary hospital or
2 clinic operated by a veterinarian or veterinarians licensed
3 under the Veterinary Medicine and Surgery Practice Act of 2004
4 or maintained by a State-supported or publicly funded
5 university or college shall be exempt from the regulation
6 requirements of this Section; however, such exemption shall not
7 operate to bar the University of Illinois from requesting, nor
8 the Department of Financial and Professional Regulation from
9 issuing, a registration to the University of Illinois
10 Veterinary Teaching Hospital under this Act. Neither a request
11 for such registration nor the issuance of such registration to
12 the University of Illinois shall operate to otherwise waive or
13 modify the exemption provided in this subsection (a).

14 (b) Persons registered by the Department of Financial and
15 Professional Regulation under this Act to manufacture,
16 distribute, or dispense controlled substances, engage in
17 chemical analysis, research, or instructional activities which
18 utilize controlled substances, ~~or~~ purchase, store, or
19 administer euthanasia drugs, or provide canine odor detection
20 services, may possess, manufacture, distribute, engage in
21 chemical analysis, research, or instructional activities which
22 utilize controlled substances, ~~or~~ dispense those substances,
23 or purchase, store, or administer euthanasia drugs, or provide
24 canine odor detection services to the extent authorized by
25 their registration and in conformity with the other provisions
26 of this Article.

1 (c) The following persons need not register and may
2 lawfully possess controlled substances under this Act:

3 (1) an agent or employee of any registered
4 manufacturer, distributor, or dispenser of any controlled
5 substance if he or she is acting in the usual course of his
6 or her employer's lawful business or employment;

7 (2) a common or contract carrier or warehouseman, or an
8 agent or employee thereof, whose possession of any
9 controlled substance is in the usual lawful course of such
10 business or employment;

11 (3) an ultimate user or a person in possession of any
12 controlled substance pursuant to a lawful prescription of a
13 practitioner or in lawful possession of a Schedule V
14 substance;

15 (4) officers and employees of this State or of the
16 United States while acting in the lawful course of their
17 official duties which requires possession of controlled
18 substances;

19 (5) a registered pharmacist who is employed in, or the
20 owner of, a pharmacy licensed under this Act and the
21 Federal Controlled Substances Act, at the licensed
22 location, or if he or she is acting in the usual course of
23 his or her lawful profession, business, or employment;

24 (6) a holder of a temporary license issued under
25 Section 17 of the Medical Practice Act of 1987 practicing
26 within the scope of that license and in compliance with the

1 rules adopted under this Act. In addition to possessing
2 controlled substances, a temporary license holder may
3 order, administer, and prescribe controlled substances
4 when acting within the scope of his or her license and in
5 compliance with the rules adopted under this Act.

6 (d) A separate registration is required at each place of
7 business or professional practice where the applicant
8 manufactures, distributes, or dispenses controlled substances,
9 or purchases, stores, or administers euthanasia drugs. Persons
10 are required to obtain a separate registration for each place
11 of business or professional practice where controlled
12 substances are located or stored. A separate registration is
13 not required for every location at which a controlled substance
14 may be prescribed.

15 (e) The Department of Financial and Professional
16 Regulation or the Illinois State Police may inspect the
17 controlled premises, as defined in Section 502 of this Act, of
18 a registrant or applicant for registration in accordance with
19 this Act and the rules promulgated hereunder and with regard to
20 persons licensed by the Department, in accordance with
21 subsection (bb) of Section 30-5 of the Alcoholism and Other
22 Drug Abuse and Dependency Act and the rules and regulations
23 promulgated thereunder.

24 (Source: P.A. 96-219, eff. 8-10-09; 97-126, eff. 7-14-11;
25 97-334, eff. 1-1-12; 97-813, eff. 7-13-12.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.