



Sen. Jason A. Barickman

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LRB099 08370 RLC 33726 a

1 AMENDMENT TO SENATE BILL 1062

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1062 by replacing  
3 everything after the enacting clause with the following:

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; provides canine odor detection services; ~~or who~~ proposes to  
12 engage in the manufacture, distribution, or dispensing of any  
13 controlled substance; ~~or~~ proposes ~~or~~ to engage in chemical  
14 analysis, research, or ~~and~~ instructional activities which  
15 utilize controlled substances; ~~or~~ proposes ~~or~~ to engage in  
16

1 purchasing, storing, or administering euthanasia drugs; or  
2 proposes to provide canine odor detection services, within this  
3 State, must obtain a registration issued by the Department of  
4 Financial and Professional Regulation in accordance with its  
5 rules. The rules shall include, but not be limited to, setting  
6 the expiration date and renewal period for each registration  
7 under this Act. The Department, any facility or service  
8 licensed by the Department, and any veterinary hospital or  
9 clinic operated by a veterinarian or veterinarians licensed  
10 under the Veterinary Medicine and Surgery Practice Act of 2004  
11 or maintained by a State-supported or publicly funded  
12 university or college shall be exempt from the regulation  
13 requirements of this Section; however, such exemption shall not  
14 operate to bar the University of Illinois from requesting, nor  
15 the Department of Financial and Professional Regulation from  
16 issuing, a registration to the University of Illinois  
17 Veterinary Teaching Hospital under this Act. Neither a request  
18 for such registration nor the issuance of such registration to  
19 the University of Illinois shall operate to otherwise waive or  
20 modify the exemption provided in this subsection (a).

21 (b) Persons registered by the Department of Financial and  
22 Professional Regulation under this Act to manufacture,  
23 distribute, or dispense controlled substances, engage in  
24 chemical analysis, research, or instructional activities which  
25 utilize controlled substances, ~~or~~ purchase, store, or  
26 administer euthanasia drugs, or provide canine odor detection

1 services, may possess, manufacture, distribute, engage in  
2 chemical analysis, research, or instructional activities which  
3 utilize controlled substances, ~~or~~ dispense those substances,  
4 or purchase, store, or administer euthanasia drugs, or provide  
5 canine odor detection services to the extent authorized by  
6 their registration and in conformity with the other provisions  
7 of this Article.

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

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

14 (2) a common or contract carrier or warehouseman, or an  
15 agent or employee thereof, whose possession of any  
16 controlled substance is in the usual lawful course of such  
17 business or employment;

18 (3) an ultimate user or a person in possession of any  
19 controlled substance pursuant to a lawful prescription of a  
20 practitioner or in lawful possession of a Schedule V  
21 substance;

22 (4) officers and employees of this State or of the  
23 United States while acting in the lawful course of their  
24 official duties which requires possession of controlled  
25 substances;

26 (5) a registered pharmacist who is employed in, or the

1 owner of, a pharmacy licensed under this Act and the  
2 Federal Controlled Substances Act, at the licensed  
3 location, or if he or she is acting in the usual course of  
4 his or her lawful profession, business, or employment;

5 (6) a holder of a temporary license issued under  
6 Section 17 of the Medical Practice Act of 1987 practicing  
7 within the scope of that license and in compliance with the  
8 rules adopted under this Act. In addition to possessing  
9 controlled substances, a temporary license holder may  
10 order, administer, and prescribe controlled substances  
11 when acting within the scope of his or her license and in  
12 compliance with the rules adopted under this Act.

13 (d) A separate registration is required at each place of  
14 business or professional practice where the applicant  
15 manufactures, distributes, or dispenses controlled substances,  
16 or purchases, stores, or administers euthanasia drugs. Persons  
17 are required to obtain a separate registration for each place  
18 of business or professional practice where controlled  
19 substances are located or stored. A separate registration is  
20 not required for every location at which a controlled substance  
21 may be prescribed.

22 (e) The Department of Financial and Professional  
23 Regulation or the Illinois State Police may inspect the  
24 controlled premises, as defined in Section 502 of this Act, of  
25 a registrant or applicant for registration in accordance with  
26 this Act and the rules promulgated hereunder and with regard to

1 persons licensed by the Department, in accordance with  
2 subsection (bb) of Section 30-5 of the Alcoholism and Other  
3 Drug Abuse and Dependency Act and the rules and regulations  
4 promulgated thereunder.

5 (Source: P.A. 96-219, eff. 8-10-09; 97-126, eff. 7-14-11;  
6 97-334, eff. 1-1-12; 97-813, eff. 7-13-12.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".