

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

(720 ILCS 649/10)

Sec. 10. Definitions. In this Act:

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

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

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

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

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

"Covered pharmacy" means any pharmacy that distributes any

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

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

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

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

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

"Identification information" means identification type and identification number.

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

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

license or United States passport.

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

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

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

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

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

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

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

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

"Qualified outside entity" means:

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

(2) any probation and court services department

authorized by the Probation and Probation Officers Act;

(3) the Department of Corrections;

(4) the Department of Juvenile Justice;

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

(6) the U.S. Parole Commission.

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

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

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

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

"Single retail transaction" means a sale by a retail

distributor to a recipient at a specific time.

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

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

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

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

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