



Rep. Barbara Wheeler

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10000HB0524ham002

LRB100 08001 MJP 23386 a

1 AMENDMENT TO HOUSE BILL 524

2 AMENDMENT NO. _____. Amend House Bill 524, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Safe Pharmaceutical Disposal Act is amended
6 by changing Section 17 as follows:

7 (210 ILCS 150/17)

8 Sec. 17. Pharmaceutical disposal. Notwithstanding any
9 provision of law, any county or ~~city, village, or~~ municipality
10 may authorize the use of its city hall, ~~or~~ police department,
11 or any other facility under the county's or municipality's
12 control to display a container suitable for use as a receptacle
13 for used, expired, or unwanted pharmaceuticals. These used,
14 expired, or unwanted pharmaceuticals may include unused
15 medication and prescription drugs, as well as controlled
16 substances if collected in accordance with federal law. This

1 receptacle shall only permit the deposit of items, and the
2 contents shall be locked and secured. The container shall be
3 accessible to the public and shall have posted clearly legible
4 signage indicating that expired or unwanted prescription drugs
5 may be disposed of in the receptacle. The county or
6 municipality shall provide continuous or regular notice to the
7 public regarding the availability of the receptacle. To the
8 extent allowed under federal law, pharmaceuticals collected
9 under this Section may be disposed of in a drug destruction
10 device, as defined in Section 22.58 of the Environmental
11 Protection Act.

12 (Source: P.A. 99-480, eff. 9-9-15.)

13 Section 10. The Environmental Protection Act is amended by
14 changing Section 22.58 as follows:

15 (415 ILCS 5/22.58)

16 Sec. 22.58. Drug destruction by law enforcement agency.

17 (a) For purposes of this Section:

18 "Drug destruction device" means a device that is (i)
19 designed by its manufacturer to destroy drug evidence and
20 render it non-retrievable and (ii) used exclusively for that
21 purpose or, to the extent allowed under federal law, to destroy
22 pharmaceuticals collected under Section 17 of the Safe
23 Pharmaceutical Disposal Act.

24 "Drug evidence" means any illegal drug collected as

1 evidence by a law enforcement agency. "Drug evidence" does not
2 include hazardous waste.

3 "Illegal drug" means any one or more of the following when
4 obtained without a prescription or otherwise in violation of
5 the law:

6 (1) any substance as defined and included in the
7 Schedules of Article II of the Illinois Controlled
8 Substances Act;

9 (2) any cannabis as defined in Section 3 of the
10 Cannabis Control Act; or

11 (3) any drug as defined in paragraph (b) of Section 3
12 of the Pharmacy Practice Act.

13 "Law enforcement agency" means an agency of this State or
14 unit of local government that is vested by law or ordinance
15 with the duty to maintain public order and to enforce criminal
16 laws or ordinances.

17 "Non-retrievable" means the condition or state following a
18 process that permanently alters the illegal drug's physical or
19 chemical condition or state through irreversible means and
20 thereby renders the illegal drug unavailable and unusable for
21 all practical purposes.

22 (b) To the extent allowed under federal law, drug evidence
23 that is placed into a drug destruction device by a law
24 enforcement agency at the location where the evidence is stored
25 by the agency and that is destroyed under the supervision of
26 the agency in accordance with the specifications of the device

1 manufacturer shall not be considered discarded or a waste under
2 this Act until it is rendered non-retrievable.

3 (Source: P.A. 99-60, eff. 7-16-15.)

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