



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2534

by Rep. Avery Bourne

SYNOPSIS AS INTRODUCED:

720 ILCS 570/102	from Ch. 56 1/2, par. 1102
720 ILCS 570/204	from Ch. 56 1/2, par. 1204
720 ILCS 570/401	from Ch. 56 1/2, par. 1401
720 ILCS 570/402	from Ch. 56 1/2, par. 1402

Amends the Illinois Controlled Substances Act. Requires that to be illegal a drug analog must not be approved by the United States Food and Drug Administration or, if approved, it is not dispensed or possessed in accordance with State and federal law. Defines "controlled substance" to include a synthetic drug enumerated as a scheduled drug under the Act. Adds chemical structural classes of synthetic cannabinoids and piperazines to the list of Schedule I controlled substances. Includes certain substances approved by the FDA which are not dispensed or possessed in accordance with State or federal law and certain modified substances.

LRB100 08419 RLC 18533 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 Sections 102, 204, 401, and 402 as follows:

6 (720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

7 Sec. 102. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 (a) "Addict" means any person who habitually uses any drug,
10 chemical, substance or dangerous drug other than alcohol so as
11 to endanger the public morals, health, safety or welfare or who
12 is so far addicted to the use of a dangerous drug or controlled
13 substance other than alcohol as to have lost the power of self
14 control with reference to his or her addiction.

15 (b) "Administer" means the direct application of a
16 controlled substance, whether by injection, inhalation,
17 ingestion, or any other means, to the body of a patient,
18 research subject, or animal (as defined by the Humane
19 Euthanasia in Animal Shelters Act) by:

20 (1) a practitioner (or, in his or her presence, by his
21 or her authorized agent),

22 (2) the patient or research subject pursuant to an
23 order, or

1 (3) a euthanasia technician as defined by the Humane
2 Euthanasia in Animal Shelters Act.

3 (c) "Agent" means an authorized person who acts on behalf
4 of or at the direction of a manufacturer, distributor,
5 dispenser, prescriber, or practitioner. It does not include a
6 common or contract carrier, public warehouseman or employee of
7 the carrier or warehouseman.

8 (c-1) "Anabolic Steroids" means any drug or hormonal
9 substance, chemically and pharmacologically related to
10 testosterone (other than estrogens, progestins,
11 corticosteroids, and dehydroepiandrosterone), and includes:

- 12 (i) 3[beta],17-dihydroxy-5a-androstane,
13 (ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,
14 (iii) 5[alpha]-androstane-3,17-dione,
15 (iv) 1-androstenediol (3[beta],
16 17[beta]-dihydroxy-5[alpha]-androst-1-ene),
17 (v) 1-androstenediol (3[alpha],
18 17[beta]-dihydroxy-5[alpha]-androst-1-ene),
19 (vi) 4-androstenediol
20 (3[beta],17[beta]-dihydroxy-androst-4-ene),
21 (vii) 5-androstenediol
22 (3[beta],17[beta]-dihydroxy-androst-5-ene),
23 (viii) 1-androstenedione
24 ([5alpha]-androst-1-en-3,17-dione),
25 (ix) 4-androstenedione
26 (androst-4-en-3,17-dione),

- 1 (x) 5-androstenedione
2 (androst-5-en-3,17-dione),
3 (xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
4 hydroxyandrost-4-en-3-one),
5 (xii) boldenone (17[beta]-hydroxyandrost-
6 1,4,-diene-3-one),
7 (xiii) boldione (androsta-1,4-
8 diene-3,17-dione),
9 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17
10 [beta]-hydroxyandrost-4-en-3-one),
11 (xv) clostebol (4-chloro-17[beta]-
12 hydroxyandrost-4-en-3-one),
13 (xvi) dehydrochloromethyltestosterone (4-chloro-
14 17[beta]-hydroxy-17[alpha]-methyl-
15 androst-1,4-dien-3-one),
16 (xvii) desoxymethyltestosterone
17 (17[alpha]-methyl-5[alpha]
18 -androst-2-en-17[beta]-ol) (a.k.a., madol),
19 (xviii) [delta]1-dihydrotestosterone (a.k.a.
20 '1-testosterone') (17[beta]-hydroxy-
21 5[alpha]-androst-1-en-3-one),
22 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-
23 androstan-3-one),
24 (xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-
25 5[alpha]-androstan-3-one),
26 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-

1 hydroxyestr-4-ene),
2 (xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-
3 1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
4 (xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],
5 17[beta]-dihydroxyandrost-1,4-dien-3-one),
6 (xxiv) furazabol (17[alpha]-methyl-17[beta]-
7 hydroxyandrostano[2,3-c]-furazan),
8 (xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one)
9 (xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxy-
10 androst-4-en-3-one),
11 (xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-
12 dihydroxy-estr-4-en-3-one),
13 (xxviii) mestanolone (17[alpha]-methyl-17[beta]-
14 hydroxy-5-androstan-3-one),
15 (xxix) mesterolone (1-methyl-17[beta]-hydroxy-
16 [5a]-androstan-3-one),
17 (xxx) methandienone (17[alpha]-methyl-17[beta]-
18 hydroxyandrost-1,4-dien-3-one),
19 (xxxi) methandriol (17[alpha]-methyl-3[beta],17[beta]-
20 dihydroxyandrost-5-ene),
21 (xxxii) methenolone (1-methyl-17[beta]-hydroxy-
22 5[alpha]-androst-1-en-3-one),
23 (xxxiii) 17[alpha]-methyl-3[beta], 17[beta]-
24 dihydroxy-5a-androstane),
25 (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy
26 -5a-androstane),

- 1 (xxxv) 17[alpha]-methyl-3[beta],17[beta]-
2 dihydroxyandrost-4-ene),
3 (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-
4 methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
5 (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-
6 hydroxyestra-4,9(10)-dien-3-one),
7 (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-
8 hydroxyestra-4,9-11-trien-3-one),
9 (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-
10 hydroxyandrost-4-en-3-one),
11 (xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-
12 hydroxyestr-4-en-3-one),
13 (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
14 (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-
15 androst-1-en-3-one) (a.k.a. '17-[alpha]-methyl-
16 1-testosterone'),
17 (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
18 (xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-
19 dihydroxyestr-4-ene),
20 (xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-
21 dihydroxyestr-4-ene),
22 (xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-
23 dihydroxyestr-5-ene),
24 (xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-
25 dihydroxyestr-5-ene),
26 (xlvii) 19-nor-4,9(10)-androstadienedione

1 (estra-4,9(10)-diene-3,17-dione),
2 (xlvi) 19-nor-4-androstenedione (estr-4-
3 en-3,17-dione),
4 (xlix) 19-nor-5-androstenedione (estr-5-
5 en-3,17-dione),
6 (l) norbolethone (13[beta], 17a-diethyl-17[beta]-
7 hydroxygon-4-en-3-one),
8 (li) norclostebol (4-chloro-17[beta]-
9 hydroxyestr-4-en-3-one),
10 (lii) norethandrolone (17[alpha]-ethyl-17[beta]-
11 hydroxyestr-4-en-3-one),
12 (liii) normethandrolone (17[alpha]-methyl-17[beta]-
13 hydroxyestr-4-en-3-one),
14 (liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-
15 2-oxa-5[alpha]-androstan-3-one),
16 (lv) oxymesterone (17[alpha]-methyl-4,17[beta]-
17 dihydroxyandrost-4-en-3-one),
18 (lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-
19 17[beta]-hydroxy-(5[alpha]-androstan-3-one),
20 (lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-
21 (5[alpha]-androst-2-eno[3,2-c]-pyrazole),
22 (lviii) stenbolone (17[beta]-hydroxy-2-methyl-
23 (5[alpha]-androst-1-en-3-one),
24 (lix) testolactone (13-hydroxy-3-oxo-13,17-
25 secoandrosta-1,4-dien-17-oic
26 acid lactone),

- 1 (lx) testosterone (17[beta]-hydroxyandrost-
2 4-en-3-one),
3 (lxi) tetrahydrogestrinone (13[beta], 17[alpha]-
4 diethyl-17[beta]-hydroxygon-
5 4,9,11-trien-3-one),
6 (lxii) trenbolone (17[beta]-hydroxyestr-4,9,
7 11-trien-3-one).

8 Any person who is otherwise lawfully in possession of an
9 anabolic steroid, or who otherwise lawfully manufactures,
10 distributes, dispenses, delivers, or possesses with intent to
11 deliver an anabolic steroid, which anabolic steroid is
12 expressly intended for and lawfully allowed to be administered
13 through implants to livestock or other nonhuman species, and
14 which is approved by the Secretary of Health and Human Services
15 for such administration, and which the person intends to
16 administer or have administered through such implants, shall
17 not be considered to be in unauthorized possession or to
18 unlawfully manufacture, distribute, dispense, deliver, or
19 possess with intent to deliver such anabolic steroid for
20 purposes of this Act.

21 (d) "Administration" means the Drug Enforcement
22 Administration, United States Department of Justice, or its
23 successor agency.

24 (d-5) "Clinical Director, Prescription Monitoring Program"
25 means a Department of Human Services administrative employee
26 licensed to either prescribe or dispense controlled substances

1 who shall run the clinical aspects of the Department of Human
2 Services Prescription Monitoring Program and its Prescription
3 Information Library.

4 (d-10) "Compounding" means the preparation and mixing of
5 components, excluding flavorings, (1) as the result of a
6 prescriber's prescription drug order or initiative based on the
7 prescriber-patient-pharmacist relationship in the course of
8 professional practice or (2) for the purpose of, or incident
9 to, research, teaching, or chemical analysis and not for sale
10 or dispensing. "Compounding" includes the preparation of drugs
11 or devices in anticipation of receiving prescription drug
12 orders based on routine, regularly observed dispensing
13 patterns. Commercially available products may be compounded
14 for dispensing to individual patients only if both of the
15 following conditions are met: (i) the commercial product is not
16 reasonably available from normal distribution channels in a
17 timely manner to meet the patient's needs and (ii) the
18 prescribing practitioner has requested that the drug be
19 compounded.

20 (e) "Control" means to add a drug or other substance, or
21 immediate precursor, to a Schedule whether by transfer from
22 another Schedule or otherwise.

23 (f) "Controlled Substance" means (i) a drug, substance,
24 immediate precursor, or synthetic drug in the Schedules of
25 Article II of this Act or (ii) a drug or other substance, or
26 immediate precursor, designated as a controlled substance by

1 the Department through administrative rule. The term does not
2 include distilled spirits, wine, malt beverages, or tobacco, as
3 those terms are defined or used in the Liquor Control Act of
4 1934 and the Tobacco Products Tax Act of 1995.

5 (f-5) "Controlled substance analog" means a substance:

6 (1) the chemical structure of which is substantially
7 similar to the chemical structure of a controlled substance
8 in Schedule I or II;

9 (2) which has a stimulant, depressant, or
10 hallucinogenic effect on the central nervous system that is
11 substantially similar to or greater than the stimulant,
12 depressant, or hallucinogenic effect on the central
13 nervous system of a controlled substance in Schedule I or
14 II; or

15 (3) with respect to a particular person, which such
16 person represents or intends to have a stimulant,
17 depressant, or hallucinogenic effect on the central
18 nervous system that is substantially similar to or greater
19 than the stimulant, depressant, or hallucinogenic effect
20 on the central nervous system of a controlled substance in
21 Schedule I or II.

22 (g) "Counterfeit substance" means a controlled substance,
23 which, or the container or labeling of which, without
24 authorization bears the trademark, trade name, or other
25 identifying mark, imprint, number or device, or any likeness
26 thereof, of a manufacturer, distributor, or dispenser other

1 than the person who in fact manufactured, distributed, or
2 dispensed the substance.

3 (h) "Deliver" or "delivery" means the actual, constructive
4 or attempted transfer of possession of a controlled substance,
5 with or without consideration, whether or not there is an
6 agency relationship.

7 (i) "Department" means the Illinois Department of Human
8 Services (as successor to the Department of Alcoholism and
9 Substance Abuse) or its successor agency.

10 (j) (Blank).

11 (k) "Department of Corrections" means the Department of
12 Corrections of the State of Illinois or its successor agency.

13 (l) "Department of Financial and Professional Regulation"
14 means the Department of Financial and Professional Regulation
15 of the State of Illinois or its successor agency.

16 (m) "Depressant" means any drug that (i) causes an overall
17 depression of central nervous system functions, (ii) causes
18 impaired consciousness and awareness, and (iii) can be
19 habit-forming or lead to a substance abuse problem, including
20 but not limited to alcohol, cannabis and its active principles
21 and their analogs, benzodiazepines and their analogs,
22 barbiturates and their analogs, opioids (natural and
23 synthetic) and their analogs, and chloral hydrate and similar
24 sedative hypnotics.

25 (n) (Blank).

26 (o) "Director" means the Director of the Illinois State

1 Police or his or her designated agents.

2 (p) "Dispense" means to deliver a controlled substance to
3 an ultimate user or research subject by or pursuant to the
4 lawful order of a prescriber, including the prescribing,
5 administering, packaging, labeling, or compounding necessary
6 to prepare the substance for that delivery.

7 (q) "Dispenser" means a practitioner who dispenses.

8 (r) "Distribute" means to deliver, other than by
9 administering or dispensing, a controlled substance.

10 (s) "Distributor" means a person who distributes.

11 (t) "Drug" means (1) substances recognized as drugs in the
12 official United States Pharmacopoeia, Official Homeopathic
13 Pharmacopoeia of the United States, or official National
14 Formulary, or any supplement to any of them; (2) substances
15 intended for use in diagnosis, cure, mitigation, treatment, or
16 prevention of disease in man or animals; (3) substances (other
17 than food) intended to affect the structure of any function of
18 the body of man or animals and (4) substances intended for use
19 as a component of any article specified in clause (1), (2), or
20 (3) of this subsection. It does not include devices or their
21 components, parts, or accessories.

22 (t-3) "Electronic health record" or "EHR" means an
23 electronic record of health-related information on an
24 individual that is created, gathered, managed, and consulted by
25 authorized health care clinicians and staff.

26 (t-5) "Euthanasia agency" means an entity certified by the

1 Department of Financial and Professional Regulation for the
2 purpose of animal euthanasia that holds an animal control
3 facility license or animal shelter license under the Animal
4 Welfare Act. A euthanasia agency is authorized to purchase,
5 store, possess, and utilize Schedule II nonnarcotic and
6 Schedule III nonnarcotic drugs for the sole purpose of animal
7 euthanasia.

8 (t-10) "Euthanasia drugs" means Schedule II or Schedule III
9 substances (nonnarcotic controlled substances) that are used
10 by a euthanasia agency for the purpose of animal euthanasia.

11 (u) "Good faith" means the prescribing or dispensing of a
12 controlled substance by a practitioner in the regular course of
13 professional treatment to or for any person who is under his or
14 her treatment for a pathology or condition other than that
15 individual's physical or psychological dependence upon or
16 addiction to a controlled substance, except as provided herein:
17 and application of the term to a pharmacist shall mean the
18 dispensing of a controlled substance pursuant to the
19 prescriber's order which in the professional judgment of the
20 pharmacist is lawful. The pharmacist shall be guided by
21 accepted professional standards including, but not limited to
22 the following, in making the judgment:

23 (1) lack of consistency of prescriber-patient
24 relationship,

25 (2) frequency of prescriptions for same drug by one
26 prescriber for large numbers of patients,

- 1 (3) quantities beyond those normally prescribed,
2 (4) unusual dosages (recognizing that there may be
3 clinical circumstances where more or less than the usual
4 dose may be used legitimately),
5 (5) unusual geographic distances between patient,
6 pharmacist and prescriber,
7 (6) consistent prescribing of habit-forming drugs.

8 (u-0.5) "Hallucinogen" means a drug that causes markedly
9 altered sensory perception leading to hallucinations of any
10 type.

11 (u-1) "Home infusion services" means services provided by a
12 pharmacy in compounding solutions for direct administration to
13 a patient in a private residence, long-term care facility, or
14 hospice setting by means of parenteral, intravenous,
15 intramuscular, subcutaneous, or intraspinal infusion.

16 (u-5) "Illinois State Police" means the State Police of the
17 State of Illinois, or its successor agency.

18 (v) "Immediate precursor" means a substance:

19 (1) which the Department has found to be and by rule
20 designated as being a principal compound used, or produced
21 primarily for use, in the manufacture of a controlled
22 substance;

23 (2) which is an immediate chemical intermediary used or
24 likely to be used in the manufacture of such controlled
25 substance; and

26 (3) the control of which is necessary to prevent,

1 curtail or limit the manufacture of such controlled
2 substance.

3 (w) "Instructional activities" means the acts of teaching,
4 educating or instructing by practitioners using controlled
5 substances within educational facilities approved by the State
6 Board of Education or its successor agency.

7 (x) "Local authorities" means a duly organized State,
8 County or Municipal peace unit or police force.

9 (y) "Look-alike substance" means a substance, other than a
10 controlled substance which (1) by overall dosage unit
11 appearance, including shape, color, size, markings or lack
12 thereof, taste, consistency, or any other identifying physical
13 characteristic of the substance, would lead a reasonable person
14 to believe that the substance is a controlled substance, or (2)
15 is expressly or impliedly represented to be a controlled
16 substance or is distributed under circumstances which would
17 lead a reasonable person to believe that the substance is a
18 controlled substance. For the purpose of determining whether
19 the representations made or the circumstances of the
20 distribution would lead a reasonable person to believe the
21 substance to be a controlled substance under this clause (2) of
22 subsection (y), the court or other authority may consider the
23 following factors in addition to any other factor that may be
24 relevant:

25 (a) statements made by the owner or person in control
26 of the substance concerning its nature, use or effect;

1 (b) statements made to the buyer or recipient that the
2 substance may be resold for profit;

3 (c) whether the substance is packaged in a manner
4 normally used for the illegal distribution of controlled
5 substances;

6 (d) whether the distribution or attempted distribution
7 included an exchange of or demand for money or other
8 property as consideration, and whether the amount of the
9 consideration was substantially greater than the
10 reasonable retail market value of the substance.

11 Clause (1) of this subsection (y) shall not apply to a
12 noncontrolled substance in its finished dosage form that was
13 initially introduced into commerce prior to the initial
14 introduction into commerce of a controlled substance in its
15 finished dosage form which it may substantially resemble.

16 Nothing in this subsection (y) prohibits the dispensing or
17 distributing of noncontrolled substances by persons authorized
18 to dispense and distribute controlled substances under this
19 Act, provided that such action would be deemed to be carried
20 out in good faith under subsection (u) if the substances
21 involved were controlled substances.

22 Nothing in this subsection (y) or in this Act prohibits the
23 manufacture, preparation, propagation, compounding,
24 processing, packaging, advertising or distribution of a drug or
25 drugs by any person registered pursuant to Section 510 of the
26 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

1 (y-1) "Mail-order pharmacy" means a pharmacy that is
2 located in a state of the United States that delivers,
3 dispenses or distributes, through the United States Postal
4 Service or other common carrier, to Illinois residents, any
5 substance which requires a prescription.

6 (z) "Manufacture" means the production, preparation,
7 propagation, compounding, conversion or processing of a
8 controlled substance other than methamphetamine, either
9 directly or indirectly, by extraction from substances of
10 natural origin, or independently by means of chemical
11 synthesis, or by a combination of extraction and chemical
12 synthesis, and includes any packaging or repackaging of the
13 substance or labeling of its container, except that this term
14 does not include:

15 (1) by an ultimate user, the preparation or compounding
16 of a controlled substance for his or her own use; or

17 (2) by a practitioner, or his or her authorized agent
18 under his or her supervision, the preparation,
19 compounding, packaging, or labeling of a controlled
20 substance:

21 (a) as an incident to his or her administering or
22 dispensing of a controlled substance in the course of
23 his or her professional practice; or

24 (b) as an incident to lawful research, teaching or
25 chemical analysis and not for sale.

26 (z-1) (Blank).

1 (z-5) "Medication shopping" means the conduct prohibited
2 under subsection (a) of Section 314.5 of this Act.

3 (z-10) "Mid-level practitioner" means (i) a physician
4 assistant who has been delegated authority to prescribe through
5 a written delegation of authority by a physician licensed to
6 practice medicine in all of its branches, in accordance with
7 Section 7.5 of the Physician Assistant Practice Act of 1987,
8 (ii) an advanced practice nurse who has been delegated
9 authority to prescribe through a written delegation of
10 authority by a physician licensed to practice medicine in all
11 of its branches or by a podiatric physician, in accordance with
12 Section 65-40 of the Nurse Practice Act, (iii) an advanced
13 practice nurse certified as a nurse practitioner, nurse
14 midwife, or clinical nurse specialist who has been granted
15 authority to prescribe by a hospital affiliate in accordance
16 with Section 65-45 of the Nurse Practice Act, (iv) an animal
17 euthanasia agency, or (v) a prescribing psychologist.

18 (aa) "Narcotic drug" means any of the following, whether
19 produced directly or indirectly by extraction from substances
20 of vegetable origin, or independently by means of chemical
21 synthesis, or by a combination of extraction and chemical
22 synthesis:

23 (1) opium, opiates, derivatives of opium and opiates,
24 including their isomers, esters, ethers, salts, and salts
25 of isomers, esters, and ethers, whenever the existence of
26 such isomers, esters, ethers, and salts is possible within

1 the specific chemical designation; however the term
2 "narcotic drug" does not include the isoquinoline
3 alkaloids of opium;

4 (2) (blank);

5 (3) opium poppy and poppy straw;

6 (4) coca leaves, except coca leaves and extracts of
7 coca leaves from which substantially all of the cocaine and
8 ecgonine, and their isomers, derivatives and salts, have
9 been removed;

10 (5) cocaine, its salts, optical and geometric isomers,
11 and salts of isomers;

12 (6) ecgonine, its derivatives, their salts, isomers,
13 and salts of isomers;

14 (7) any compound, mixture, or preparation which
15 contains any quantity of any of the substances referred to
16 in subparagraphs (1) through (6).

17 (bb) "Nurse" means a registered nurse licensed under the
18 Nurse Practice Act.

19 (cc) (Blank).

20 (dd) "Opiate" means any substance having an addiction
21 forming or addiction sustaining liability similar to morphine
22 or being capable of conversion into a drug having addiction
23 forming or addiction sustaining liability.

24 (ee) "Opium poppy" means the plant of the species *Papaver*
25 *somniferum* L., except its seeds.

26 (ee-5) "Oral dosage" means a tablet, capsule, elixir, or

1 solution or other liquid form of medication intended for
2 administration by mouth, but the term does not include a form
3 of medication intended for buccal, sublingual, or transmucosal
4 administration.

5 (ff) "Parole and Pardon Board" means the Parole and Pardon
6 Board of the State of Illinois or its successor agency.

7 (gg) "Person" means any individual, corporation,
8 mail-order pharmacy, government or governmental subdivision or
9 agency, business trust, estate, trust, partnership or
10 association, or any other entity.

11 (hh) "Pharmacist" means any person who holds a license or
12 certificate of registration as a registered pharmacist, a local
13 registered pharmacist or a registered assistant pharmacist
14 under the Pharmacy Practice Act.

15 (ii) "Pharmacy" means any store, ship or other place in
16 which pharmacy is authorized to be practiced under the Pharmacy
17 Practice Act.

18 (ii-5) "Pharmacy shopping" means the conduct prohibited
19 under subsection (b) of Section 314.5 of this Act.

20 (ii-10) "Physician" (except when the context otherwise
21 requires) means a person licensed to practice medicine in all
22 of its branches.

23 (jj) "Poppy straw" means all parts, except the seeds, of
24 the opium poppy, after mowing.

25 (kk) "Practitioner" means a physician licensed to practice
26 medicine in all its branches, dentist, optometrist, podiatric

1 physician, veterinarian, scientific investigator, pharmacist,
2 physician assistant, advanced practice nurse, licensed
3 practical nurse, registered nurse, hospital, laboratory, or
4 pharmacy, or other person licensed, registered, or otherwise
5 lawfully permitted by the United States or this State to
6 distribute, dispense, conduct research with respect to,
7 administer or use in teaching or chemical analysis, a
8 controlled substance in the course of professional practice or
9 research.

10 (ll) "Pre-printed prescription" means a written
11 prescription upon which the designated drug has been indicated
12 prior to the time of issuance; the term does not mean a written
13 prescription that is individually generated by machine or
14 computer in the prescriber's office.

15 (mm) "Prescriber" means a physician licensed to practice
16 medicine in all its branches, dentist, optometrist,
17 prescribing psychologist licensed under Section 4.2 of the
18 Clinical Psychologist Licensing Act with prescriptive
19 authority delegated under Section 4.3 of the Clinical
20 Psychologist Licensing Act, podiatric physician, or
21 veterinarian who issues a prescription, a physician assistant
22 who issues a prescription for a controlled substance in
23 accordance with Section 303.05, a written delegation, and a
24 written supervision agreement required under Section 7.5 of the
25 Physician Assistant Practice Act of 1987, an advanced practice
26 nurse with prescriptive authority delegated under Section

1 65-40 of the Nurse Practice Act and in accordance with Section
2 303.05, a written delegation, and a written collaborative
3 agreement under Section 65-35 of the Nurse Practice Act, or an
4 advanced practice nurse certified as a nurse practitioner,
5 nurse midwife, or clinical nurse specialist who has been
6 granted authority to prescribe by a hospital affiliate in
7 accordance with Section 65-45 of the Nurse Practice Act and in
8 accordance with Section 303.05.

9 (nn) "Prescription" means a written, facsimile, or oral
10 order, or an electronic order that complies with applicable
11 federal requirements, of a physician licensed to practice
12 medicine in all its branches, dentist, podiatric physician or
13 veterinarian for any controlled substance, of an optometrist in
14 accordance with Section 15.1 of the Illinois Optometric
15 Practice Act of 1987, of a prescribing psychologist licensed
16 under Section 4.2 of the Clinical Psychologist Licensing Act
17 with prescriptive authority delegated under Section 4.3 of the
18 Clinical Psychologist Licensing Act, of a physician assistant
19 for a controlled substance in accordance with Section 303.05, a
20 written delegation, and a written supervision agreement
21 required under Section 7.5 of the Physician Assistant Practice
22 Act of 1987, of an advanced practice nurse with prescriptive
23 authority delegated under Section 65-40 of the Nurse Practice
24 Act who issues a prescription for a controlled substance in
25 accordance with Section 303.05, a written delegation, and a
26 written collaborative agreement under Section 65-35 of the

1 Nurse Practice Act, or of an advanced practice nurse certified
2 as a nurse practitioner, nurse midwife, or clinical nurse
3 specialist who has been granted authority to prescribe by a
4 hospital affiliate in accordance with Section 65-45 of the
5 Nurse Practice Act and in accordance with Section 303.05 when
6 required by law.

7 (nn-5) "Prescription Information Library" (PIL) means an
8 electronic library that contains reported controlled substance
9 data.

10 (nn-10) "Prescription Monitoring Program" (PMP) means the
11 entity that collects, tracks, and stores reported data on
12 controlled substances and select drugs pursuant to Section 316.

13 (oo) "Production" or "produce" means manufacture,
14 planting, cultivating, growing, or harvesting of a controlled
15 substance other than methamphetamine.

16 (pp) "Registrant" means every person who is required to
17 register under Section 302 of this Act.

18 (qq) "Registry number" means the number assigned to each
19 person authorized to handle controlled substances under the
20 laws of the United States and of this State.

21 (qq-5) "Secretary" means, as the context requires, either
22 the Secretary of the Department or the Secretary of the
23 Department of Financial and Professional Regulation, and the
24 Secretary's designated agents.

25 (rr) "State" includes the State of Illinois and any state,
26 district, commonwealth, territory, insular possession thereof,

1 and any area subject to the legal authority of the United
2 States of America.

3 (rr-5) "Stimulant" means any drug that (i) causes an
4 overall excitation of central nervous system functions, (ii)
5 causes impaired consciousness and awareness, and (iii) can be
6 habit-forming or lead to a substance abuse problem, including
7 but not limited to amphetamines and their analogs,
8 methylphenidate and its analogs, cocaine, and phencyclidine
9 and its analogs.

10 (rr-10) "Synthetic drug" includes, but is not limited to,
11 any synthetic cannabinoids or piperazines or any synthetic
12 cathinones as provided for in Schedule I.

13 (ss) "Ultimate user" means a person who lawfully possesses
14 a controlled substance for his or her own use or for the use of
15 a member of his or her household or for administering to an
16 animal owned by him or her or by a member of his or her
17 household.

18 (Source: P.A. 98-214, eff. 8-9-13; 98-668, eff. 6-25-14;
19 98-756, eff. 7-16-14; 98-1111, eff. 8-26-14; 99-78, eff.
20 7-20-15; 99-173, eff. 7-29-15; 99-371, eff. 1-1-16; 99-480,
21 eff. 9-9-15; 99-642, eff. 7-28-16.)

22 (720 ILCS 570/204) (from Ch. 56 1/2, par. 1204)

23 Sec. 204. (a) The controlled substances listed in this
24 Section are included in Schedule I.

25 (b) Unless specifically excepted or unless listed in

1 another schedule, any of the following opiates, including their
2 isomers, esters, ethers, salts, and salts of isomers, esters,
3 and ethers, whenever the existence of such isomers, esters,
4 ethers and salts is possible within the specific chemical
5 designation:

6 (1) Acetylmethadol;

7 (1.1) Acetyl-alpha-methylfentanyl

8 (N-[1-(1-methyl-2-phenethyl)-

9 4-piperidinyl]-N-phenylacetamide);

10 (2) Allylprodine;

11 (3) Alphacetylmethadol, except

12 levo-alphacetylmethadol (also known as levo-alpha-
13 acetylmethadol, levomethadyl acetate, or LAAM);

14 (4) Alphameprodine;

15 (5) Alphamethadol;

16 (6) Alpha-methylfentanyl

17 (N-(1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl)
18 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
19 propanilido) piperidine;

20 (6.1) Alpha-methylthiofentanyl

21 (N-[1-methyl-2-(2-thienyl)ethyl-

22 4-piperidinyl]-N-phenylpropanamide);

23 (7) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);

24 (7.1) PEPAP

25 (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);

26 (8) Benzethidine;

- 1 (9) Betacetylmethadol;
- 2 (9.1) Beta-hydroxyfentanyl
- 3 (N-[1-(2-hydroxy-2-phenethyl)-
- 4 4-piperidinyl]-N-phenylpropanamide);
- 5 (10) Betameprodine;
- 6 (11) Betamethadol;
- 7 (12) Betaprodine;
- 8 (13) Clonitazene;
- 9 (14) Dextromoramide;
- 10 (15) Diampromide;
- 11 (16) Diethylthiambutene;
- 12 (17) Difenoxyin;
- 13 (18) Dimenoxadol;
- 14 (19) Dimepheptanol;
- 15 (20) Dimethylthiambutene;
- 16 (21) Dioxaphetylbutyrate;
- 17 (22) Dipipanone;
- 18 (23) Ethylmethylthiambutene;
- 19 (24) Etonitazene;
- 20 (25) Etoxeridine;
- 21 (26) Furethidine;
- 22 (27) Hydroxpethidine;
- 23 (28) Ketobemidone;
- 24 (29) Levomoramide;
- 25 (30) Levophenacymorphan;
- 26 (31) 3-Methylfentanyl

1 (N-[3-methyl-1-(2-phenylethyl)-
2 4-piperidyl]-N-phenylpropanamide);
3 (31.1) 3-Methylthiofentanyl
4 (N-[(3-methyl-1-(2-thienyl)ethyl-
5 4-piperidinyl]-N-phenylpropanamide);
6 (32) Morpheridine;
7 (33) Noracymethadol;
8 (34) Norlevorphanol;
9 (35) Normethadone;
10 (36) Norpipanone;
11 (36.1) Para-fluorofentanyl
12 (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-
13 4-piperidinyl]propanamide);
14 (37) Phenadoxone;
15 (38) Phenampromide;
16 (39) Phenomorphan;
17 (40) Phenoperidine;
18 (41) Piritramide;
19 (42) Proheptazine;
20 (43) Properidine;
21 (44) Propiram;
22 (45) Racemoramide;
23 (45.1) Thiofentanyl
24 (N-phenyl-N-[1-(2-thienyl)ethyl-
25 4-piperidinyl]-propanamide);
26 (46) Tilidine;

1 (47) Trimeperidine;

2 (48) Beta-hydroxy-3-methylfentanyl (other name:
3 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-
4 N-phenylpropanamide).

5 (c) Unless specifically excepted or unless listed in
6 another schedule, any of the following opium derivatives, its
7 salts, isomers and salts of isomers, whenever the existence of
8 such salts, isomers and salts of isomers is possible within the
9 specific chemical designation:

10 (1) Acetorphine;

11 (2) Acetyldihydrocodeine;

12 (3) Benzylmorphine;

13 (4) Codeine methylbromide;

14 (5) Codeine-N-Oxide;

15 (6) Cyprenorphine;

16 (7) Desomorphine;

17 (8) Diacetyldihydromorphine (Dihydroheroin);

18 (9) Dihydromorphine;

19 (10) Drotebanol;

20 (11) Etorphine (except hydrochloride salt);

21 (12) Heroin;

22 (13) Hydromorphenol;

23 (14) Methyldesorphine;

24 (15) Methyldihydromorphine;

25 (16) Morphine methylbromide;

26 (17) Morphine methylsulfonate;

- 1 (18) Morphine-N-Oxide;
- 2 (19) Myrophine;
- 3 (20) Nicocodeine;
- 4 (21) Nicomorphine;
- 5 (22) Normorphine;
- 6 (23) Pholcodine;
- 7 (24) Thebacon.

8 (d) Unless specifically excepted or unless listed in
9 another schedule, any material, compound, mixture, or
10 preparation which contains any quantity of the following
11 hallucinogenic substances, or which contains any of its salts,
12 isomers and salts of isomers, whenever the existence of such
13 salts, isomers, and salts of isomers is possible within the
14 specific chemical designation (for the purposes of this
15 paragraph only, the term "isomer" includes the optical,
16 position and geometric isomers):

- 17 (1) 3,4-methylenedioxyamphetamine
18 (alpha-methyl, 3,4-methylenedioxyphenethylamine,
19 methylenedioxyamphetamine, MDA);
 - 20 (1.1) Alpha-ethyltryptamine
21 (some trade or other names: etryptamine;
22 MONASE; alpha-ethyl-1H-indole-3-ethanamine;
23 3-(2-aminobutyl)indole; a-ET; and AET);
 - 24 (2) 3,4-methylenedioxymethamphetamine (MDMA);
 - 25 (2.1) 3,4-methylenedioxy-N-ethylamphetamine
26 (also known as: N-ethyl-alpha-methyl-

1 3,4(methylenedioxy) Phenethylamine, N-ethyl MDA, MDE,
2 and MDEA);

3 (2.2) N-Benzylpiperazine (BZP);

4 (2.2-1) Trifluoromethylphenylpiperazine (TFMPP);

5 (3) 3-methoxy-4,5-methylenedioxyamphetamine, (MMDA);

6 (4) 3,4,5-trimethoxyamphetamine (TMA);

7 (5) (Blank);

8 (6) Diethyltryptamine (DET);

9 (7) Dimethyltryptamine (DMT);

10 (7.1) 5-Methoxy-diallyltryptamine;

11 (8) 4-methyl-2,5-dimethoxyamphetamine (DOM, STP);

12 (9) Ibogaine (some trade and other names:
13 7-ethyl-6,6,beta,7,8,9,10,12,13-octahydro-2-methoxy-
14 6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b]
15 indole; Tabernanthe iboga);

16 (10) Lysergic acid diethylamide;

17 (10.1) Salvinorin A;

18 (10.5) Salvia divinorum (meaning all parts of the plant
19 presently classified botanically as Salvia divinorum,
20 whether growing or not, the seeds thereof, any extract from
21 any part of that plant, and every compound, manufacture,
22 salts, isomers, and salts of isomers whenever the existence
23 of such salts, isomers, and salts of isomers is possible
24 within the specific chemical designation, derivative,
25 mixture, or preparation of that plant, its seeds or
26 extracts);

- 1 (11) 3,4,5-trimethoxyphenethylamine (Mescaline);
- 2 (12) Peyote (meaning all parts of the plant presently
3 classified botanically as *Lophophora williamsii* Lemaire,
4 whether growing or not, the seeds thereof, any extract from
5 any part of that plant, and every compound, manufacture,
6 salts, derivative, mixture, or preparation of that plant,
7 its seeds or extracts);
- 8 (13) N-ethyl-3-piperidyl benzilate (JB 318);
- 9 (14) N-methyl-3-piperidyl benzilate;
- 10 (14.1) N-hydroxy-3,4-methylenedioxyamphetamine
11 (also known as N-hydroxy-alpha-methyl-
12 3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);
- 13 (15) Parahexyl; some trade or other names:
14 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
15 dibenzo (b,d) pyran; Synhexyl;
- 16 (16) Psilocybin;
- 17 (17) Psilocyn;
- 18 (18) Alpha-methyltryptamine (AMT);
- 19 (19) 2,5-dimethoxyamphetamine
20 (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);
- 21 (20) 4-bromo-2,5-dimethoxyamphetamine
22 (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine;
23 4-bromo-2,5-DMA);
- 24 (20.1) 4-Bromo-2,5 dimethoxyphenethylamine.
25 Some trade or other names: 2-(4-bromo-
26 2,5-dimethoxyphenyl)-1-aminoethane;

1 alpha-desmethyl DOB, 2CB, Nexus;
2 (21) 4-methoxyamphetamine
3 (4-methoxy-alpha-methylphenethylamine;
4 paramethoxyamphetamine; PMA);
5 (22) (Blank);
6 (23) Ethylamine analog of phencyclidine.
7 Some trade or other names:
8 N-ethyl-1-phenylcyclohexylamine,
9 (1-phenylcyclohexyl) ethylamine,
10 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;
11 (24) Pyrrolidine analog of phencyclidine. Some trade
12 or other names: 1-(1-phenylcyclohexyl) pyrrolidine, PCPy,
13 PHP;
14 (25) 5-methoxy-3,4-methylenedioxy-amphetamine;
15 (26) 2,5-dimethoxy-4-ethylamphetamine
16 (another name: DOET);
17 (27) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine
18 (another name: TCPy);
19 (28) (Blank);
20 (29) Thiophene analog of phencyclidine (some trade
21 or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine;
22 2-thienyl analog of phencyclidine; TPCP; TCP);
23 (30) Bufotenine (some trade or other names:
24 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole;
25 3-(2-dimethylaminoethyl)-5-indolol;
26 5-hydroxy-N,N-dimethyltryptamine;

1 N,N-dimethylserotonin; mappine);

2 (31) 1-Pentyl-3-(1-naphthoyl)indole

3 Some trade or other names: JWH-018;

4 (32) 1-Butyl-3-(1-naphthoyl)indole

5 Some trade or other names: JWH-073;

6 (33) 1-[(5-fluoropentyl)-1H-indol-3-yl]-

7 (2-iodophenyl)methanone

8 Some trade or other names: AM-694;

9 (34) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-

10 (2-methyloctan-2-yl)phenol

11 Some trade or other names: CP 47,497

12 and its C6, C8 and C9 homologs;

13 (34.5) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-

14 (2-methyloctan-2-yl)phenol), where side chain n=5;

15 and homologues where side chain n=4, 6, or 7; Some

16 trade or other names: CP 47,497;

17 (35) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-

18 (2-methyloctan-2-yl)-6a,7,

19 10,10a-tetrahydrobenzo[c]chromen-1-ol

20 Some trade or other names: HU-210;

21 (35.5) (6aS,10aS)-9-(hydroxymethyl)-6,6-

22 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-

23 tetrahydrobenzo[c]chromen-1-ol, its isomers,

24 salts, and salts of isomers; Some trade or other

25 names: HU-210, Dexanabinol;

26 (36) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-

1 6,6-dimethyl-3-(2-methyloctan-2-yl)-

2 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol

3 Some trade or other names: HU-211;

4 (37) (2-methyl-1-propyl-1H-indol-

5 3-yl)-1-naphthalenyl-methanone

6 Some trade or other names: JWH-015;

7 (38) 4-methoxynaphthalen-1-yl-

8 (1-pentylindol-3-yl)methanone

9 Some trade or other names: JWH-081;

10 (39) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole

11 Some trade or other names: JWH-122;

12 (40) 2-(2-methylphenyl)-1-(1-pentyl-

13 1H-indol-3-yl)-ethanone

14 Some trade or other names: JWH-251;

15 (41) 1-(2-cyclohexylethyl)-3-

16 (2-methoxyphenylacetyl)indole

17 Some trade or other names: RCS-8, BTW-8 and SR-18;

18 (42) Any compound structurally derived from

19 3-(1-naphthoyl)indole or 1H-indol-3-yl-

20 (1-naphthyl)methane by substitution at the

21 nitrogen atom of the indole ring by alkyl, haloalkyl,

22 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl halide,

23 alkyl aryl halide, 1-(N-methyl-2-piperidinyl)methyl,

24 or 2-(4-morpholinyl)ethyl whether or not further

25 substituted in the indole ring to any extent, whether

26 or not substituted in the naphthyl ring to any extent.

1 Examples of this structural class include, but are
2 not limited to, JWH-018, AM-2201, JWH-175, JWH-184,
3 and JWH-185;

4 (43) Any compound structurally derived from
5 3-(1-naphthoyl)pyrrole by substitution at the nitrogen
6 atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,
7 cycloalkylmethyl, cycloalkylethyl, aryl halide, alkyl
8 aryl halide, 1-(N-methyl-2-piperidinyl)methyl,
9 or 2-(4-morpholinyl)ethyl, whether or not further
10 substituted in the pyrrole ring to any extent, whether
11 or not substituted in the naphthyl ring to any extent.
12 Examples of this structural class include, but are not
13 limited to, JWH-030, JWH-145, JWH-146, JWH-307, and
14 JWH-368;

15 (44) Any compound structurally derived from
16 1-(1-naphthylmethyl)indene by substitution
17 at the 3-position of the indene ring by alkyl, haloalkyl,
18 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
19 halide, alkyl aryl halide, 1-(N-methyl-
20 2-piperidinyl)methyl, or 2-(4-
21 morpholinyl)ethyl whether or not further substituted in
22 the indene ring to any extent, whether or not substituted
23 in the naphthyl ring to any extent. Examples of
24 this structural class include, but are not
25 limited to, JWH-176;

26 (45) Any compound structurally derived from

1 3-phenylacetylindole by substitution at the
2 nitrogen atom of the indole ring with alkyl, haloalkyl,
3 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
4 halide, alkyl aryl halide, 1-(N-methyl-2-
5 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
6 whether or not further substituted in the indole ring
7 to any extent, whether or not substituted in the phenyl
8 ring to any extent. Examples of this structural
9 class include, but are not limited to, JWH-167,
10 JWH-250, JWH-251, and RCS-8;

11 (46) Any compound structurally derived from
12 2-(3-hydroxycyclohexyl)phenol by substitution
13 at the 5-position of the phenolic ring by alkyl,
14 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
15 aryl halide, alkyl aryl halide, 1-(N-methyl-2-
16 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
17 whether or not substituted in the cyclohexyl ring to any
18 extent. Examples of this structural class
19 include, but are not limited to, CP 47,
20 497 and its C8 homologue (cannabicyclohexanol);

21 (46.1) Benzoylindoles: Any compound
22 containing a 3-(benzoyl) indole structure with
23 substitution at the nitrogen atom of the
24 indole ring by an alkyl, haloalkyl, alkenyl,
25 cycloalkylmethyl, cycloalkylethyl,
26 1-(N-methyl-2-piperidinyl)methyl,

1 or 2-(4-morpholinyl)ethyl group
2 whether or not further substituted
3 in the indole ring to any extent and
4 whether or not substituted in the phenyl ring
5 to any extent. Examples of this structural class
6 include, but are not limited to, AM-630,
7 AM-2233, AM-694, Pravadoline (WIN 48,098), and RCS-4;
8 (47) 3,4-Methylenedioxymethcathinone
9 Some trade or other names: Methylone;
10 (48) 3,4-Methyenedioxypyrovalerone
11 Some trade or other names: MDPV;
12 (49) 4-Methylmethcathinone
13 Some trade or other names: Mephedrone;
14 (50) 4-methoxymethcathinone;
15 (51) 4-Fluoromethcathinone;
16 (52) 3-Fluoromethcathinone;
17 (53) 2,5-Dimethoxy-4-(n)-propylthio-
18 phenethylamine;
19 (54) 5-Methoxy-N,N-diisopropyltryptamine;
20 (55) Pentedrone;
21 (56) 4-iodo-2,5-dimethoxy-N-((2-methoxy
22 phenyl)methyl)-benzeneethanamine
23 (trade or other name: 25I-NBOMe);
24 (57) 4-chloro-2,5-dimethoxy-N-[(2-methoxyphenyl)
25 methyl]-benzeneethanamine (trade or other name:
26 25C-NBOMe);

1 (58) 4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)
2 methyl]-benzeneethanamine (trade or other name:
3 25B-NBOMe);

4 (59) 3-cyclopropoylindole with
5 substitution at the nitrogen atom of the
6 indole ring by alkyl, haloalkyl, alkenyl,
7 cycloalkylmethyl, cycloalkylethyl, aryl
8 halide, alkyl aryl halide,
9 1-(N-methyl-2-piperidinyl)methyl, or
10 2-(4-morpholinyl)ethyl, whether or not
11 further substituted on the indole ring
12 to any extent, whether or not substituted
13 on the cyclopropyl ring to any extent:
14 including, but not limited to, XLR11,
15 UR144, FUB-144;

16 (60) 3-adamantoylindole with
17 substitution at the nitrogen atom of the
18 indole ring by alkyl, haloalkyl, alkenyl,
19 cycloalkylmethyl, cycloalkylethyl,
20 aryl halide, alkyl aryl halide,
21 1-(N-methyl-2-piperidinyl)methyl, or
22 2-(4-morpholinyl)ethyl, whether or not
23 further substituted on the indole ring to
24 any extent, whether or not substituted on
25 the adamantyl ring to any extent: including,
26 but not limited to, AB-001;

1 (61) N-(adamantyl)-indole-3-carboxamide
2 with substitution at the nitrogen atom of the
3 indole ring by alkyl, haloalkyl, alkenyl,
4 cycloalkylmethyl, cycloalkylethyl, aryl halide,
5 alkyl aryl halide, 1-(N-methyl-2-piperidinyl)methyl,
6 or 2-(4-morpholinyl)ethyl, whether or not further
7 substituted on the indole ring to any extent, whether
8 or not substituted on the adamantyl ring to any
9 extent: including, but not limited to,
10 APICA/2NE-1, STS-135;

11 (62) N-(adamantyl)-indazole-3-carboxamide
12 with substitution at a nitrogen atom of the indazole
13 ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
14 cycloalkylethyl, aryl halide, alkyl aryl halide,
15 1-(N-methyl-2-piperidinyl)methyl, or
16 2-(4-morpholinyl)ethyl, whether or not further
17 substituted on the indazole ring to any extent,
18 whether or not substituted on the adamantyl
19 ring to any extent: including, but not limited
20 to, AKB48, 5F-AKB48;

21 (63) 1H-indole-3-carboxylic acid 8-quinolinyl
22 ester with substitution at the nitrogen atom of the
23 indole ring by alkyl, haloalkyl, alkenyl,
24 cycloalkylmethyl, cycloalkylethyl, aryl halide, alkyl
25 aryl halide, 1-(N-methyl-2-piperidinyl)methyl, or
26 2-(4-morpholinyl)ethyl, whether or not further

1 substituted on the indole ring to any extent,
2 whether or not substituted on the quinoline ring
3 to any extent: including, but not limited to, PB22,
4 5F-PB22, FUB-PB-22;

5 (64) 3-(1-naphthoyl)indazole with
6 substitution at the nitrogen atom of the
7 indazole ring by alkyl, haloalkyl,
8 alkenyl, cycloalkylmethyl, cycloalkylethyl,
9 aryl halide, alkyl aryl halide,
10 1-(N-methyl-2-piperidinyl)methyl, or
11 2-(4-morpholinyl)ethyl, whether or not further
12 substituted on the indazole ring to any extent,
13 whether or not substituted on the naphthyl ring
14 to any extent: including, but not limited to,
15 THJ-018, THJ-2201;

16 (65) 2-(1-naphthoyl)benzimidazole with
17 substitution at the nitrogen atom of the benzimidazole
18 ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
19 cycloalkylethyl, aryl halide, alkyl aryl halide,
20 1-(N-methyl-2-piperidinyl)methyl, or
21 2-(4-morpholinyl)ethyl, whether or not further
22 substituted on the benzimidazole ring to any extent,
23 whether or not substituted on the naphthyl ring to
24 any extent: including, but not limited to, FUBIMINA;

25 (66) N-(1-amino-3-methyl-1-oxobutan-2-yl)
26 -1H-indazole-3-carboxamide with substitution on the

1 nitrogen atom of the indazole ring by alkyl,
2 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
3 aryl halide, alkyl aryl halide, 1-(N-methyl-2-
4 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
5 whether or not further substituted on the indazole
6 ring to any extent: including, but not limited to,
7 AB-PINACA, AB-FUBINACA, AB-CHMINACA;

8 (67) N-(1-amino-3,3-dimethyl-1-oxobutan-
9 2-yl)-1H-indazole-3-carboxamide with substitution
10 on the nitrogen atom of the indazole ring by alkyl,
11 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
12 aryl halide, alkyl aryl halide, 1-(N-methyl-2-
13 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, whether
14 or not further substituted on the indazole ring to any
15 extent: including, but not limited to, ADB-PINACA,
16 ADB-FUBINACA;

17 (68) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-
18 1H-indole-3-carboxamide with substitution on the nitrogen
19 atom of the indole ring by alkyl, haloalkyl, alkenyl,
20 cycloalkylmethyl, cycloalkylethyl, aryl halide, alkyl
21 aryl halide, 1-(N-methyl-2-piperidinyl)methyl, or
22 2-(4-morpholinyl)ethyl, whether or not further
23 substituted on the indole ring to any extent:
24 including, but not limited to, ADBICA, 5F-ADBICA;

25 (69) N-(1-amino-3-methyl-1-oxobutan-2-yl)-
26 1H-indole-3-carboxamide with substitution on the

1 nitrogen atom of the indole ring by alkyl, haloalkyl,
2 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
3 halide, alkyl aryl halide, 1-(N-methyl-2-
4 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
5 whether or not further substituted on the indole
6 ring to any extent: including, but not limited
7 to, ABICA, 5F-ABICA;

8 (70) Methyl 2-(1H-indazole-3-carboxamido)-
9 3-methylbutanoate with substitution on the nitrogen
10 atom of the indazole ring by alkyl, haloalkyl,
11 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
12 halide, alkyl aryl halide, 1-(N-methyl-2-
13 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
14 whether or not further substituted on the indazole
15 ring to any extent: including, but not limited to, AMB,
16 5F-AMB.

17 (e) Unless specifically excepted or unless listed in
18 another schedule, any material, compound, mixture, or
19 preparation which contains any quantity of the following
20 substances having a depressant effect on the central nervous
21 system, including its salts, isomers, and salts of isomers
22 whenever the existence of such salts, isomers, and salts of
23 isomers is possible within the specific chemical designation:

- 24 (1) mecloqualone;
- 25 (2) methaqualone; and
- 26 (3) gamma hydroxybutyric acid.

1 (f) Unless specifically excepted or unless listed in
2 another schedule, any material, compound, mixture, or
3 preparation which contains any quantity of the following
4 substances having a stimulant effect on the central nervous
5 system, including its salts, isomers, and salts of isomers:

6 (1) Fenethylamine;

7 (2) N-ethylamphetamine;

8 (3) Amphetamine (some other names:

9 2-amino-5-phenyl-2-oxazoline; amphetamine;

10 4,5-dihydro-5-phenyl-2-oxazoline) and its

11 salts, optical isomers, and salts of optical isomers;

12 (4) Methamphetamine (some other names:

13 2-methylamino-1-phenylpropan-1-one;

14 Ephedrine; 2-(methylamino)-propionophenone;

15 alpha-(methylamino)propionophenone; N-methylamphetamine;

16 methamphetamine; Monomethylpropion; UR 1431) and its

17 salts, optical isomers, and salts of optical isomers;

18 (5) Amphetamine (some trade or other names:

19 2-aminopropionophenone; alpha-aminopropionophenone;

20 2-amino-1-phenyl-propanone; norephedrine);

21 (6) N,N-dimethylamphetamine (also known as:

22 N,N-alpha-trimethyl-benzeneethanamine;

23 N,N-alpha-trimethylphenethylamine);

24 (7) (+ or -) cis-4-methylamphetamine ((+ or -) cis-

25 4,5-dihydro-4-methyl-4-5-phenyl-2-oxazoline);

26 (8) 3,4-Methylenedioxyamphetamine (MDA).

1 (g) Temporary listing of substances subject to emergency
2 scheduling. Any material, compound, mixture, or preparation
3 that contains any quantity of the following substances:

4 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
5 (benzylfentanyl), its optical isomers, isomers, salts,
6 and salts of isomers;

7 (2) N-[1(2-thienyl)
8 methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl),
9 its optical isomers, salts, and salts of isomers.

10 (h) Synthetic cathinones. Unless specifically excepted,
11 any chemical compound which is not approved by the United
12 States Food and Drug Administration or, if approved, which is
13 not dispensed or possessed in accordance with State and federal
14 law, not including bupropion, structurally derived from
15 2-aminopropan-1-one by substitution at the 1-position with
16 either phenyl, naphthyl, or thiophene ring systems, whether or
17 not the compound is further modified in one or more of the
18 following ways:

19 (1) by substitution in the ring system to
20 any extent with alkyl, alkylendioxy, alkoxy,
21 haloalkyl, hydroxyl, or halide substituents, whether
22 or not further substituted in the ring system
23 by one or more other univalent substituents.
24 Examples of this class include, but are not
25 limited to, 3,4-Methylenedioxcathinone
26 (bk-MDA);

1 (2) by substitution at the 3-position
2 with an acyclic alkyl substituent. Examples of
3 this class include, but are not limited to,
4 2-methylamino-1-phenylbutan-1-one
5 (buphedrone); ~~or~~

6 (3) by substitution at the 2-amino nitrogen
7 atom with alkyl, dialkyl, benzyl, or methoxybenzyl
8 groups, or by inclusion of the 2-amino nitrogen atom
9 in a cyclic structure. Examples of this class include,
10 but are not limited to, Dimethylcathinone, Ethcathinone,
11 and α -Pyrrolidinopropiophenone (α -PPP); or

12 (4) any other synthetic cathinone
13 which is not approved by the United States Food and Drug
14 Administration or, if approved, is not dispensed or
15 possessed in accordance with State or federal law.

16 (i) Synthetic cannabinoids or piperazines. Unless
17 specifically excepted, any chemical compound which is not
18 approved by the United States Food and Drug Administration or,
19 if approved, which is not dispensed or possessed in accordance
20 with State and federal law, that contains:

21 (1) Benzylpiperazine (BZP);

22 (2) Trifluoromethylphenylpiperazine (TFMPP);

23 (3) 1,1-

24 Dimethylheptyl-11-hydroxytetrahydrocannabinol

25 (HU-210); 1-Butyl-3-(1-naphthoyl) indole; 1-

26 Pentyl-3-(1-naphthoyl) indole;

1 (4) dexanabinol (HU-211); or

2 (5) any compound in the following

3 structural classes:

4 (A) Naphthylmethyloindoles: Any compound

5 containing a 1H-indol-3-yl-(1-naphthyl) methane

6 structure with substitution at the nitrogen

7 atom of the indole ring by an alkyl, haloalkyl,

8 alkenyl, cycloalkylmethyl, cycloalkylethyl,

9 1-(N-methyl-2-piperidinyl)methyl, or

10 2-(4-morpholinyl)ethyl group whether or not

11 further substituted in the indole ring to any extent

12 and whether or not substituted in the naphthyl ring

13 to any extent. Examples of this structural class

14 include, but are not limited to, JWH-175, JWH-184,

15 and JWH-185;

16 (B) Phenylacetyloindoles: Any compound

17 containing a 3-phenylacetyloindole structure

18 with substitution at the nitrogen atom of the

19 indole ring by an alkyl, haloalkyl, alkenyl,

20 cycloalkylmethyl, cycloalkylethyl,

21 1-(N-methyl-2-piperidinyl)methyl, or

22 2-(4-morpholinyl)ethyl group whether or not

23 further substituted in the indole ring

24 to any extent and whether or not substituted

25 in the phenyl ring to any extent. Examples of

26 this structural class include, but are not

1 limited to, JWH-167, JWH-250, JWH-251, and RCS-8;

2 (C) Benzoylindoles: Any compound

3 containing a 3-(benzoyl) indole structure with

4 substitution at the nitrogen atom of the

5 indole ring by an alkyl, haloalkyl, alkenyl,

6 cycloalkylmethyl, cycloalkylethyl,

7 1-(N-methyl-2-piperidinyl)methyl,

8 or 2-(4-morpholinyl)ethyl group

9 whether or not further substituted

10 in the indole ring to any extent and

11 whether or not substituted in the phenyl ring

12 to any extent. Examples of this structural class

13 include, but are not limited, to AM-630,

14 AM-2233, AM-694, Pravadoline (WIN 48,098), and RCS-4;

15 (D) Cyclohexylphenols: Any compound

16 containing a 2-(3-hydroxycyclohexyl)phenol

17 structure with substitution at the 5-position

18 of the phenolic ring by an alkyl, haloalkyl,

19 alkenyl, cycloalkylmethyl, cycloalkylethyl,

20 1-(N-methyl-2-piperidinyl)methyl, or

21 2-(4-morpholinyl)ethyl group whether or

22 not substituted in the cyclohexyl ring to

23 any extent. Examples of this structural

24 class include, but are not limited to,

25 CP 47,497 and its C8 homologue

26 (cannabicyclohexanol);

1 (E) Naphthylmethylindoles: Any compound
2 containing a 1H-indol-3-yl-(1-naphthyl) methane
3 structure with substitution at the nitrogen atom of
4 the indole ring by an alkyl, haloalkyl, alkenyl,
5 cycloalkylmethyl, cycloalkylethyl,
6 1-(N-methyl-2-piperidinyl)methyl, or
7 2-(4-morpholinyl)ethyl group whether
8 or not further substituted in the indole
9 ring to any extent and whether or not
10 substituted in the naphthyl ring to any extent.

11 Examples of this structural class include,
12 but are not limited to, JWH-175, JWH-184,
13 and JWH-185;

14 (F) Naphthoylpyrroles: Any compound
15 containing a 3-(1-naphthoyl)pyrrole structure
16 with substitution at the nitrogen atom of
17 the pyrrole ring by an alkyl, haloalkyl, alkenyl,
18 cycloalkylmethyl, cycloalkylethyl,
19 1-(N-methyl-2-piperidinyl)methyl, or
20 2-(4-morpholinyl)ethyl group whether
21 or not further substituted in the pyrrole ring
22 to any extent and whether or not substituted
23 in the naphthyl ring to any extent. Examples
24 of this structural class include, but are not
25 limited, to JWH-030, JWH-145, JWH-146, JWH-307,
26 and JWH-368;

1 (G) Naphthylmethylindenes: Any compound
2 containing a 1-(1-naphthylmethyl)indene structure
3 with substitution at the 3-position of the indene
4 ring by an alkyl, haloalkyl, alkenyl,
5 cycloalkylmethyl, cycloalkylethyl,
6 1-(N-methyl-2-piperidinyl)methyl,
7 or 2-(4-morpholinyl)ethyl group whether or
8 not further substituted in the indene ring
9 to any extent and whether or not substituted in
10 the naphthyl ring to any extent. Examples of this
11 structural class include, but are not limited
12 to, JWH-176; or

13 (H) Any other synthetic cannabinoid
14 or piperazine which is not approved by the United
15 States Food and Drug Administration or, if
16 approved, which is not dispensed or possessed
17 in accordance with State and federal law.

18 (Source: P.A. 98-987, eff. 1-1-15; 99-371, eff. 1-1-16; revised
19 10-25-16.)

20 (720 ILCS 570/401) (from Ch. 56 1/2, par. 1401)

21 Sec. 401. Manufacture or delivery, or possession with
22 intent to manufacture or deliver, a controlled substance, a
23 counterfeit substance, or controlled substance analog. Except
24 as authorized by this Act, it is unlawful for any person
25 knowingly to manufacture or deliver, or possess with intent to

1 manufacture or deliver, a controlled substance other than
2 methamphetamine and other than bath salts as defined in the
3 Bath Salts Prohibition Act sold or offered for sale in a retail
4 mercantile establishment as defined in Section 16-0.1 of the
5 Criminal Code of 2012, a counterfeit substance, or a controlled
6 substance analog. A violation of this Act with respect to each
7 of the controlled substances listed herein constitutes a single
8 and separate violation of this Act. For purposes of this
9 Section, "controlled substance analog" or "analog" means a
10 substance, other than a controlled substance, which is not
11 approved by the United States Food and Drug Administration or,
12 if approved, is not dispensed or possessed in accordance with
13 State or federal law, and that has a chemical structure
14 substantially similar to that of a controlled substance in
15 Schedule I or II, or that was specifically designed to produce
16 an effect substantially similar to that of a controlled
17 substance in Schedule I or II. Examples of chemical classes in
18 which controlled substance analogs are found include, but are
19 not limited to, the following: phenethylamines, N-substituted
20 piperidines, morphinans, ecgonines, quinazolinones,
21 substituted indoles, and arylcycloalkylamines. For purposes of
22 this Act, a controlled substance analog shall be treated in the
23 same manner as the controlled substance to which it is
24 substantially similar.

25 (a) Any person who violates this Section with respect to
26 the following amounts of controlled or counterfeit substances

1 or controlled substance analogs, notwithstanding any of the
2 provisions of subsections (c), (d), (e), (f), (g) or (h) to the
3 contrary, is guilty of a Class X felony and shall be sentenced
4 to a term of imprisonment as provided in this subsection (a)
5 and fined as provided in subsection (b):

6 (1) (A) not less than 6 years and not more than 30
7 years with respect to 15 grams or more but less than
8 100 grams of a substance containing heroin, or an
9 analog thereof;

10 (B) not less than 9 years and not more than 40
11 years with respect to 100 grams or more but less than
12 400 grams of a substance containing heroin, or an
13 analog thereof;

14 (C) not less than 12 years and not more than 50
15 years with respect to 400 grams or more but less than
16 900 grams of a substance containing heroin, or an
17 analog thereof;

18 (D) not less than 15 years and not more than 60
19 years with respect to 900 grams or more of any
20 substance containing heroin, or an analog thereof;

21 (1.5) (A) not less than 6 years and not more than 30
22 years with respect to 15 grams or more but less than
23 100 grams of a substance containing fentanyl, or an
24 analog thereof;

25 (B) not less than 9 years and not more than 40
26 years with respect to 100 grams or more but less than

1 400 grams of a substance containing fentanyl, or an
2 analog thereof;

3 (C) not less than 12 years and not more than 50
4 years with respect to 400 grams or more but less than
5 900 grams of a substance containing fentanyl, or an
6 analog thereof;

7 (D) not less than 15 years and not more than 60
8 years with respect to 900 grams or more of a substance
9 containing fentanyl, or an analog thereof;

10 (2) (A) not less than 6 years and not more than 30
11 years with respect to 15 grams or more but less than
12 100 grams of a substance containing cocaine, or an
13 analog thereof;

14 (B) not less than 9 years and not more than 40
15 years with respect to 100 grams or more but less than
16 400 grams of a substance containing cocaine, or an
17 analog thereof;

18 (C) not less than 12 years and not more than 50
19 years with respect to 400 grams or more but less than
20 900 grams of a substance containing cocaine, or an
21 analog thereof;

22 (D) not less than 15 years and not more than 60
23 years with respect to 900 grams or more of any
24 substance containing cocaine, or an analog thereof;

25 (3) (A) not less than 6 years and not more than 30
26 years with respect to 15 grams or more but less than

1 100 grams of a substance containing morphine, or an
2 analog thereof;

3 (B) not less than 9 years and not more than 40
4 years with respect to 100 grams or more but less than
5 400 grams of a substance containing morphine, or an
6 analog thereof;

7 (C) not less than 12 years and not more than 50
8 years with respect to 400 grams or more but less than
9 900 grams of a substance containing morphine, or an
10 analog thereof;

11 (D) not less than 15 years and not more than 60
12 years with respect to 900 grams or more of a substance
13 containing morphine, or an analog thereof;

14 (4) 200 grams or more of any substance containing
15 peyote, or an analog thereof;

16 (5) 200 grams or more of any substance containing a
17 derivative of barbituric acid or any of the salts of a
18 derivative of barbituric acid, or an analog thereof;

19 (6) 200 grams or more of any substance containing
20 amphetamine or any salt of an optical isomer of
21 amphetamine, or an analog thereof;

22 (6.5) (blank);

23 (6.6) (blank);

24 (7) (A) not less than 6 years and not more than 30
25 years with respect to: (i) 15 grams or more but less
26 than 100 grams of a substance containing lysergic acid

1 diethylamide (LSD), or an analog thereof, or (ii) 15 or
2 more objects or 15 or more segregated parts of an
3 object or objects but less than 200 objects or 200
4 segregated parts of an object or objects containing in
5 them or having upon them any amounts of any substance
6 containing lysergic acid diethylamide (LSD), or an
7 analog thereof;

8 (B) not less than 9 years and not more than 40
9 years with respect to: (i) 100 grams or more but less
10 than 400 grams of a substance containing lysergic acid
11 diethylamide (LSD), or an analog thereof, or (ii) 200
12 or more objects or 200 or more segregated parts of an
13 object or objects but less than 600 objects or less
14 than 600 segregated parts of an object or objects
15 containing in them or having upon them any amount of
16 any substance containing lysergic acid diethylamide
17 (LSD), or an analog thereof;

18 (C) not less than 12 years and not more than 50
19 years with respect to: (i) 400 grams or more but less
20 than 900 grams of a substance containing lysergic acid
21 diethylamide (LSD), or an analog thereof, or (ii) 600
22 or more objects or 600 or more segregated parts of an
23 object or objects but less than 1500 objects or 1500
24 segregated parts of an object or objects containing in
25 them or having upon them any amount of any substance
26 containing lysergic acid diethylamide (LSD), or an

1 analog thereof;

2 (D) not less than 15 years and not more than 60
3 years with respect to: (i) 900 grams or more of any
4 substance containing lysergic acid diethylamide (LSD),
5 or an analog thereof, or (ii) 1500 or more objects or
6 1500 or more segregated parts of an object or objects
7 containing in them or having upon them any amount of a
8 substance containing lysergic acid diethylamide (LSD),
9 or an analog thereof;

10 (7.5) (A) not less than 6 years and not more than 30
11 years with respect to: (i) 15 grams or more but less
12 than 100 grams of a substance listed in paragraph (1),
13 (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
14 (21), (25), or (26) of subsection (d) of Section 204,
15 or an analog or derivative thereof, or (ii) 15 or more
16 pills, tablets, caplets, capsules, or objects but less
17 than 200 pills, tablets, caplets, capsules, or objects
18 containing in them or having upon them any amounts of
19 any substance listed in paragraph (1), (2), (2.1),
20 (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or
21 (26) of subsection (d) of Section 204, or an analog or
22 derivative thereof;

23 (B) not less than 9 years and not more than 40
24 years with respect to: (i) 100 grams or more but less
25 than 400 grams of a substance listed in paragraph (1),
26 (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),

1 (21), (25), or (26) of subsection (d) of Section 204,
2 or an analog or derivative thereof, or (ii) 200 or more
3 pills, tablets, caplets, capsules, or objects but less
4 than 600 pills, tablets, caplets, capsules, or objects
5 containing in them or having upon them any amount of
6 any substance listed in paragraph (1), (2), (2.1),
7 (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or
8 (26) of subsection (d) of Section 204, or an analog or
9 derivative thereof;

10 (C) not less than 12 years and not more than 50
11 years with respect to: (i) 400 grams or more but less
12 than 900 grams of a substance listed in paragraph (1),
13 (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
14 (21), (25), or (26) of subsection (d) of Section 204,
15 or an analog or derivative thereof, or (ii) 600 or more
16 pills, tablets, caplets, capsules, or objects but less
17 than 1,500 pills, tablets, caplets, capsules, or
18 objects containing in them or having upon them any
19 amount of any substance listed in paragraph (1), (2),
20 (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21),
21 (25), or (26) of subsection (d) of Section 204, or an
22 analog or derivative thereof;

23 (D) not less than 15 years and not more than 60
24 years with respect to: (i) 900 grams or more of any
25 substance listed in paragraph (1), (2), (2.1), (2.2),
26 (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of

1 subsection (d) of Section 204, or an analog or
2 derivative thereof, or (ii) 1,500 or more pills,
3 tablets, caplets, capsules, or objects containing in
4 them or having upon them any amount of a substance
5 listed in paragraph (1), (2), (2.1), (2.2), (3),
6 (14.1), (19), (20), (20.1), (21), (25), or (26) of
7 subsection (d) of Section 204, or an analog or
8 derivative thereof;

9 (8) 30 grams or more of any substance containing
10 pentazocine or any of the salts, isomers and salts of
11 isomers of pentazocine, or an analog thereof;

12 (9) 30 grams or more of any substance containing
13 methaqualone or any of the salts, isomers and salts of
14 isomers of methaqualone, or an analog thereof;

15 (10) 30 grams or more of any substance containing
16 phencyclidine or any of the salts, isomers and salts of
17 isomers of phencyclidine (PCP), or an analog thereof;

18 (10.5) 30 grams or more of any substance containing
19 ketamine or any of the salts, isomers and salts of isomers
20 of ketamine, or an analog thereof;

21 (10.6) 100 grams or more of any substance containing
22 hydrocodone, or any of the salts, isomers and salts of
23 isomers of hydrocodone, or an analog thereof;

24 (10.7) 100 grams or more of any substance containing
25 dihydrocodeinone, or any of the salts, isomers and salts of
26 isomers of dihydrocodeinone, or an analog thereof;

1 (10.8) 100 grams or more of any substance containing
2 dihydrocodeine, or any of the salts, isomers and salts of
3 isomers of dihydrocodeine, or an analog thereof;

4 (10.9) 100 grams or more of any substance containing
5 oxycodone, or any of the salts, isomers and salts of
6 isomers of oxycodone, or an analog thereof;

7 (11) 200 grams or more of any substance containing any
8 other controlled substance classified in Schedules I or II,
9 or an analog thereof, which is not otherwise included in
10 this subsection.

11 (b) Any person sentenced with respect to violations of
12 paragraph (1), (2), (3), (7), or (7.5) of subsection (a)
13 involving 100 grams or more of the controlled substance named
14 therein, may in addition to the penalties provided therein, be
15 fined an amount not more than \$500,000 or the full street value
16 of the controlled or counterfeit substance or controlled
17 substance analog, whichever is greater. The term "street value"
18 shall have the meaning ascribed in Section 110-5 of the Code of
19 Criminal Procedure of 1963. Any person sentenced with respect
20 to any other provision of subsection (a), may in addition to
21 the penalties provided therein, be fined an amount not to
22 exceed \$500,000.

23 (b-1) Excluding violations of this Act when the controlled
24 substance is fentanyl, any person sentenced to a term of
25 imprisonment with respect to violations of Section 401, 401.1,
26 405, 405.1, 405.2, or 407, when the substance containing the

1 controlled substance contains any amount of fentanyl, 3 years
2 shall be added to the term of imprisonment imposed by the
3 court, and the maximum sentence for the offense shall be
4 increased by 3 years.

5 (c) Any person who violates this Section with regard to the
6 following amounts of controlled or counterfeit substances or
7 controlled substance analogs, notwithstanding any of the
8 provisions of subsections (a), (b), (d), (e), (f), (g) or (h)
9 to the contrary, is guilty of a Class 1 felony. The fine for
10 violation of this subsection (c) shall not be more than
11 \$250,000:

12 (1) 1 gram or more but less than 15 grams of any
13 substance containing heroin, or an analog thereof;

14 (1.5) 1 gram or more but less than 15 grams of any
15 substance containing fentanyl, or an analog thereof;

16 (2) 1 gram or more but less than 15 grams of any
17 substance containing cocaine, or an analog thereof;

18 (3) 10 grams or more but less than 15 grams of any
19 substance containing morphine, or an analog thereof;

20 (4) 50 grams or more but less than 200 grams of any
21 substance containing peyote, or an analog thereof;

22 (5) 50 grams or more but less than 200 grams of any
23 substance containing a derivative of barbituric acid or any
24 of the salts of a derivative of barbituric acid, or an
25 analog thereof;

26 (6) 50 grams or more but less than 200 grams of any

1 substance containing amphetamine or any salt of an optical
2 isomer of amphetamine, or an analog thereof;

3 (6.5) (blank);

4 (7) (i) 5 grams or more but less than 15 grams of any
5 substance containing lysergic acid diethylamide (LSD), or
6 an analog thereof, or (ii) more than 10 objects or more
7 than 10 segregated parts of an object or objects but less
8 than 15 objects or less than 15 segregated parts of an
9 object containing in them or having upon them any amount of
10 any substance containing lysergic acid diethylamide (LSD),
11 or an analog thereof;

12 (7.5) (i) 5 grams or more but less than 15 grams of any
13 substance listed in paragraph (1), (2), (2.1), (2.2), (3),
14 (14.1), (19), (20), (20.1), (21), (25), or (26) of
15 subsection (d) of Section 204, or an analog or derivative
16 thereof, or (ii) more than 10 pills, tablets, caplets,
17 capsules, or objects but less than 15 pills, tablets,
18 caplets, capsules, or objects containing in them or having
19 upon them any amount of any substance listed in paragraph
20 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
21 (21), (25), or (26) of subsection (d) of Section 204, or an
22 analog or derivative thereof;

23 (8) 10 grams or more but less than 30 grams of any
24 substance containing pentazocine or any of the salts,
25 isomers and salts of isomers of pentazocine, or an analog
26 thereof;

1 (9) 10 grams or more but less than 30 grams of any
2 substance containing methaqualone or any of the salts,
3 isomers and salts of isomers of methaqualone, or an analog
4 thereof;

5 (10) 10 grams or more but less than 30 grams of any
6 substance containing phencyclidine or any of the salts,
7 isomers and salts of isomers of phencyclidine (PCP), or an
8 analog thereof;

9 (10.5) 10 grams or more but less than 30 grams of any
10 substance containing ketamine or any of the salts, isomers
11 and salts of isomers of ketamine, or an analog thereof;

12 (10.6) 50 grams or more but less than 100 grams of any
13 substance containing hydrocodone, or any of the salts,
14 isomers and salts of isomers of hydrocodone, or an analog
15 thereof;

16 (10.7) 50 grams or more but less than 100 grams of any
17 substance containing dihydrocodeinone, or any of the
18 salts, isomers and salts of isomers of dihydrocodeinone, or
19 an analog thereof;

20 (10.8) 50 grams or more but less than 100 grams of any
21 substance containing dihydrocodeine, or any of the salts,
22 isomers and salts of isomers of dihydrocodeine, or an
23 analog thereof;

24 (10.9) 50 grams or more but less than 100 grams of any
25 substance containing oxycodone, or any of the salts,
26 isomers and salts of isomers of oxycodone, or an analog

1 thereof;

2 (11) 50 grams or more but less than 200 grams of any
3 substance containing a substance classified in Schedules I
4 or II, or an analog thereof, which is not otherwise
5 included in this subsection.

6 (c-5) (Blank).

7 (d) Any person who violates this Section with regard to any
8 other amount of a controlled or counterfeit substance
9 containing dihydrocodeinone or dihydrocodeine or classified in
10 Schedules I or II, or an analog thereof, which is (i) a
11 narcotic drug, (ii) lysergic acid diethylamide (LSD) or an
12 analog thereof, (iii) any substance containing amphetamine or
13 fentanyl or any salt or optical isomer of amphetamine or
14 fentanyl, or an analog thereof, or (iv) any substance
15 containing N-Benzylpiperazine (BZP) or any salt or optical
16 isomer of N-Benzylpiperazine (BZP), or an analog thereof, is
17 guilty of a Class 2 felony. The fine for violation of this
18 subsection (d) shall not be more than \$200,000.

19 (d-5) (Blank).

20 (e) Any person who violates this Section with regard to any
21 other amount of a controlled substance other than
22 methamphetamine or counterfeit substance classified in
23 Schedule I or II, or an analog thereof, which substance is not
24 included under subsection (d) of this Section, is guilty of a
25 Class 3 felony. The fine for violation of this subsection (e)
26 shall not be more than \$150,000.

1 (f) Any person who violates this Section with regard to any
2 other amount of a controlled or counterfeit substance
3 classified in Schedule III is guilty of a Class 3 felony. The
4 fine for violation of this subsection (f) shall not be more
5 than \$125,000.

6 (g) Any person who violates this Section with regard to any
7 other amount of a controlled or counterfeit substance
8 classified in Schedule IV is guilty of a Class 3 felony. The
9 fine for violation of this subsection (g) shall not be more
10 than \$100,000.

11 (h) Any person who violates this Section with regard to any
12 other amount of a controlled or counterfeit substance
13 classified in Schedule V is guilty of a Class 3 felony. The
14 fine for violation of this subsection (h) shall not be more
15 than \$75,000.

16 (i) This Section does not apply to the manufacture,
17 possession or distribution of a substance in conformance with
18 the provisions of an approved new drug application or an
19 exemption for investigational use within the meaning of Section
20 505 of the Federal Food, Drug and Cosmetic Act.

21 (j) (Blank).

22 (Source: P.A. 99-371, eff. 1-1-16; 99-585, eff. 1-1-17.)

23 (720 ILCS 570/402) (from Ch. 56 1/2, par. 1402)

24 Sec. 402. Except as otherwise authorized by this Act, it is
25 unlawful for any person knowingly to possess a controlled or

1 counterfeit substance or controlled substance analog. A
2 violation of this Act with respect to each of the controlled
3 substances listed herein constitutes a single and separate
4 violation of this Act. For purposes of this Section,
5 "controlled substance analog" or "analog" means a substance,
6 other than a controlled substance, which is not approved by the
7 United States Food and Drug Administration or, if approved, is
8 not dispensed or possessed in accordance with State or federal
9 law, and that has a chemical structure substantially similar to
10 that of a controlled substance in Schedule I or II, or that was
11 specifically designed to produce an effect substantially
12 similar to that of a controlled substance in Schedule I or II.
13 Examples of chemical classes in which controlled substance
14 analogs are found include, but are not limited to, the
15 following: phenethylamines, N-substituted piperidines,
16 morphinans, ecgonines, quinazolinones, substituted indoles,
17 and arylcycloalkylamines. For purposes of this Act, a
18 controlled substance analog shall be treated in the same manner
19 as the controlled substance to which it is substantially
20 similar.

21 (a) Any person who violates this Section with respect to
22 the following controlled or counterfeit substances and
23 amounts, notwithstanding any of the provisions of subsections
24 (c) and (d) to the contrary, is guilty of a Class 1 felony and
25 shall, if sentenced to a term of imprisonment, be sentenced as
26 provided in this subsection (a) and fined as provided in

1 subsection (b):

2 (1) (A) not less than 4 years and not more than 15
3 years with respect to 15 grams or more but less than
4 100 grams of a substance containing heroin;

5 (B) not less than 6 years and not more than 30
6 years with respect to 100 grams or more but less than
7 400 grams of a substance containing heroin;

8 (C) not less than 8 years and not more than 40
9 years with respect to 400 grams or more but less than
10 900 grams of any substance containing heroin;

11 (D) not less than 10 years and not more than 50
12 years with respect to 900 grams or more of any
13 substance containing heroin;

14 (2) (A) not less than 4 years and not more than 15
15 years with respect to 15 grams or more but less than
16 100 grams of any substance containing cocaine;

17 (B) not less than 6 years and not more than 30
18 years with respect to 100 grams or more but less than
19 400 grams of any substance containing cocaine;

20 (C) not less than 8 years and not more than 40
21 years with respect to 400 grams or more but less than
22 900 grams of any substance containing cocaine;

23 (D) not less than 10 years and not more than 50
24 years with respect to 900 grams or more of any
25 substance containing cocaine;

26 (3) (A) not less than 4 years and not more than 15

1 years with respect to 15 grams or more but less than
2 100 grams of any substance containing morphine;

3 (B) not less than 6 years and not more than 30
4 years with respect to 100 grams or more but less than
5 400 grams of any substance containing morphine;

6 (C) not less than 6 years and not more than 40
7 years with respect to 400 grams or more but less than
8 900 grams of any substance containing morphine;

9 (D) not less than 10 years and not more than 50
10 years with respect to 900 grams or more of any
11 substance containing morphine;

12 (4) 200 grams or more of any substance containing
13 peyote;

14 (5) 200 grams or more of any substance containing a
15 derivative of barbituric acid or any of the salts of a
16 derivative of barbituric acid;

17 (6) 200 grams or more of any substance containing
18 amphetamine or any salt of an optical isomer of
19 amphetamine;

20 (6.5) (blank);

21 (7) (A) not less than 4 years and not more than 15
22 years with respect to: (i) 15 grams or more but less
23 than 100 grams of any substance containing lysergic
24 acid diethylamide (LSD), or an analog thereof, or (ii)
25 15 or more objects or 15 or more segregated parts of an
26 object or objects but less than 200 objects or 200

1 segregated parts of an object or objects containing in
2 them or having upon them any amount of any substance
3 containing lysergic acid diethylamide (LSD), or an
4 analog thereof;

5 (B) not less than 6 years and not more than 30
6 years with respect to: (i) 100 grams or more but less
7 than 400 grams of any substance containing lysergic
8 acid diethylamide (LSD), or an analog thereof, or (ii)
9 200 or more objects or 200 or more segregated parts of
10 an object or objects but less than 600 objects or less
11 than 600 segregated parts of an object or objects
12 containing in them or having upon them any amount of
13 any substance containing lysergic acid diethylamide
14 (LSD), or an analog thereof;

15 (C) not less than 8 years and not more than 40
16 years with respect to: (i) 400 grams or more but less
17 than 900 grams of any substance containing lysergic
18 acid diethylamide (LSD), or an analog thereof, or (ii)
19 600 or more objects or 600 or more segregated parts of
20 an object or objects but less than 1500 objects or 1500
21 segregated parts of an object or objects containing in
22 them or having upon them any amount of any substance
23 containing lysergic acid diethylamide (LSD), or an
24 analog thereof;

25 (D) not less than 10 years and not more than 50
26 years with respect to: (i) 900 grams or more of any

1 substance containing lysergic acid diethylamide (LSD),
2 or an analog thereof, or (ii) 1500 or more objects or
3 1500 or more segregated parts of an object or objects
4 containing in them or having upon them any amount of a
5 substance containing lysergic acid diethylamide (LSD),
6 or an analog thereof;

7 (7.5) (A) not less than 4 years and not more than 15
8 years with respect to: (i) 15 grams or more but less
9 than 100 grams of any substance listed in paragraph
10 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
11 (20.1), (21), (25), or (26) of subsection (d) of
12 Section 204, or an analog or derivative thereof, or
13 (ii) 15 or more pills, tablets, caplets, capsules, or
14 objects but less than 200 pills, tablets, caplets,
15 capsules, or objects containing in them or having upon
16 them any amount of any substance listed in paragraph
17 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
18 (20.1), (21), (25), or (26) of subsection (d) of
19 Section 204, or an analog or derivative thereof;

20 (B) not less than 6 years and not more than 30
21 years with respect to: (i) 100 grams or more but less
22 than 400 grams of any substance listed in paragraph
23 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
24 (20.1), (21), (25), or (26) of subsection (d) of
25 Section 204, or an analog or derivative thereof, or
26 (ii) 200 or more pills, tablets, caplets, capsules, or

1 objects but less than 600 pills, tablets, caplets,
2 capsules, or objects containing in them or having upon
3 them any amount of any substance listed in paragraph
4 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
5 (20.1), (21), (25), or (26) of subsection (d) of
6 Section 204, or an analog or derivative thereof;

7 (C) not less than 8 years and not more than 40
8 years with respect to: (i) 400 grams or more but less
9 than 900 grams of any substance listed in paragraph
10 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
11 (20.1), (21), (25), or (26) of subsection (d) of
12 Section 204, or an analog or derivative thereof, or
13 (ii) 600 or more pills, tablets, caplets, capsules, or
14 objects but less than 1,500 pills, tablets, caplets,
15 capsules, or objects containing in them or having upon
16 them any amount of any substance listed in paragraph
17 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
18 (20.1), (21), (25), or (26) of subsection (d) of
19 Section 204, or an analog or derivative thereof;

20 (D) not less than 10 years and not more than 50
21 years with respect to: (i) 900 grams or more of any
22 substance listed in paragraph (1), (2), (2.1), (2.2),
23 (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of
24 subsection (d) of Section 204, or an analog or
25 derivative thereof, or (ii) 1,500 or more pills,
26 tablets, caplets, capsules, or objects containing in

1 them or having upon them any amount of a substance
2 listed in paragraph (1), (2), (2.1), (2.2), (3),
3 (14.1), (19), (20), (20.1), (21), (25), or (26) of
4 subsection (d) of Section 204, or an analog or
5 derivative thereof;

6 (8) 30 grams or more of any substance containing
7 pentazocine or any of the salts, isomers and salts of
8 isomers of pentazocine, or an analog thereof;

9 (9) 30 grams or more of any substance containing
10 methaqualone or any of the salts, isomers and salts of
11 isomers of methaqualone;

12 (10) 30 grams or more of any substance containing
13 phencyclidine or any of the salts, isomers and salts of
14 isomers of phencyclidine (PCP);

15 (10.5) 30 grams or more of any substance containing
16 ketamine or any of the salts, isomers and salts of isomers
17 of ketamine;

18 (11) 200 grams or more of any substance containing any
19 substance classified as a narcotic drug in Schedules I or
20 II, or an analog thereof, which is not otherwise included
21 in this subsection.

22 (b) Any person sentenced with respect to violations of
23 paragraph (1), (2), (3), (7), or (7.5) of subsection (a)
24 involving 100 grams or more of the controlled substance named
25 therein, may in addition to the penalties provided therein, be
26 fined an amount not to exceed \$200,000 or the full street value

1 of the controlled or counterfeit substances, whichever is
2 greater. The term "street value" shall have the meaning
3 ascribed in Section 110-5 of the Code of Criminal Procedure of
4 1963. Any person sentenced with respect to any other provision
5 of subsection (a), may in addition to the penalties provided
6 therein, be fined an amount not to exceed \$200,000.

7 (c) Any person who violates this Section with regard to an
8 amount of a controlled substance other than methamphetamine or
9 counterfeit substance not set forth in subsection (a) or (d) is
10 guilty of a Class 4 felony. The fine for a violation punishable
11 under this subsection (c) shall not be more than \$25,000.

12 (d) Any person who violates this Section with regard to any
13 amount of anabolic steroid is guilty of a Class C misdemeanor
14 for the first offense and a Class B misdemeanor for a
15 subsequent offense committed within 2 years of a prior
16 conviction.

17 (Source: P.A. 99-371, eff. 1-1-16.)