

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 Criminal Code of 1961 is amended by adding
5 Section 16G-15.5 as follows:

6 (720 ILCS 5/16G-15.5 new)

7 Sec. 16G-15.5. Prescription theft.

8 (a) A person commits the offense of prescription theft when
9 he or she knowingly:

10 (1) alters a properly issued prescription;

11 (2) possesses a blank prescription or prescriptions
12 without the written permission of a licensed prescriber; or

13 (3) possesses or attempts to fill a prescription not
14 issued by a licensed prescriber.

15 (b) Knowledge shall be determined by an evaluation of all
16 circumstances surrounding possession of a blank prescription
17 or possession of or attempted use of a prescription altered or
18 not issued by a licensed prescriber.

19 (c) Sentence. A person convicted of prescription theft in
20 violation of subsection (a) shall be sentenced as follows:

21 (1) Prescription theft is a Class 4 felony.

22 (2) A person who has been previously convicted of
23 prescription theft who is convicted of a second or

1 subsequent offense is guilty of a Class 3 felony.

2 (d) For the purposes of this Section, "licensed prescriber"
3 means a prescriber as defined in the Illinois Controlled
4 Substances Act or an optometrist licensed under the Illinois
5 Optometric Practice Act of 1987.