

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 Section 312 as follows:

6 (720 ILCS 570/312) (from Ch. 56 1/2, par. 1312)

7 Sec. 312. Requirements for dispensing controlled  
8 substances.

9 (a) A practitioner, in good faith, may dispense a Schedule  
10 II controlled substance, which is a narcotic drug listed in  
11 Section 206 of this Act; or which contains any quantity of  
12 amphetamine or methamphetamine, their salts, optical isomers  
13 or salts of optical isomers; phenmetrazine and its salts; or  
14 pentazocine; and Schedule III, IV, or V controlled substances  
15 to any person upon a written or electronic prescription of any  
16 prescriber, dated and signed by the person prescribing (or  
17 electronically validated in compliance with Section 311.5) on  
18 the day when issued and bearing the name and address of the  
19 patient for whom, or the owner of the animal for which the  
20 controlled substance is dispensed, and the full name, address  
21 and registry number under the laws of the United States  
22 relating to controlled substances of the prescriber, if he or  
23 she is required by those laws to be registered. If the

1 prescription is for an animal it shall state the species of  
2 animal for which it is ordered. The practitioner filling the  
3 prescription shall, unless otherwise permitted, write the date  
4 of filling and his or her own signature on the face of the  
5 written prescription or, alternatively, shall indicate such  
6 filling using a unique identifier as defined in paragraph (v)  
7 of Section 3 of the Pharmacy Practice Act. The written  
8 prescription shall be retained on file by the practitioner who  
9 filled it or pharmacy in which the prescription was filled for  
10 a period of 2 years, so as to be readily accessible for  
11 inspection or removal by any officer or employee engaged in  
12 the enforcement of this Act. Whenever the practitioner's or  
13 pharmacy's copy of any prescription is removed by an officer  
14 or employee engaged in the enforcement of this Act, for the  
15 purpose of investigation or as evidence, such officer or  
16 employee shall give to the practitioner or pharmacy a receipt  
17 in lieu thereof. If the specific prescription is machine or  
18 computer generated and printed at the prescriber's office, the  
19 date does not need to be handwritten. A prescription for a  
20 Schedule II controlled substance shall not be issued for more  
21 than a 30 day supply, except as provided in subsection (a-5),  
22 and shall be valid for up to 90 days after the date of  
23 issuance. A written prescription for Schedule III, IV or V  
24 controlled substances shall not be filled or refilled more  
25 than 6 months after the date thereof or refilled more than 5  
26 times unless renewed, in writing, by the prescriber. A

1 pharmacy shall maintain a policy regarding the type of  
2 identification necessary, if any, to receive a prescription in  
3 accordance with State and federal law. The pharmacy must post  
4 such information where prescriptions are filled.

5 (a-5) Physicians may issue multiple prescriptions (3  
6 sequential 30-day supplies) for the same Schedule II  
7 controlled substance, authorizing up to a 90-day supply.  
8 Before authorizing a 90-day supply of a Schedule II controlled  
9 substance, the physician must meet the following conditions:

10 (1) Each separate prescription must be issued for a  
11 legitimate medical purpose by an individual physician  
12 acting in the usual course of professional practice.

13 (2) The individual physician must provide written  
14 instructions on each prescription (other than the first  
15 prescription, if the prescribing physician intends for the  
16 prescription to be filled immediately) indicating the  
17 earliest date on which a pharmacy may fill that  
18 prescription.

19 (3) The physician shall document in the medical record  
20 of a patient the medical necessity for the amount and  
21 duration of the 3 sequential 30-day prescriptions for  
22 Schedule II narcotics.

23 (a-10) Prescribers who issue a prescription for an opioid  
24 shall inform the patient that opioids are addictive and that  
25 opioid antagonists are available by prescription or from a  
26 pharmacy.

1           (b) In lieu of a written prescription required by this  
2 Section, a pharmacist, in good faith, may dispense Schedule  
3 III, IV, or V substances to any person either upon receiving a  
4 facsimile of a written, signed prescription transmitted by the  
5 prescriber or the prescriber's agent or upon a lawful oral  
6 prescription of a prescriber which oral prescription shall be  
7 reduced promptly to writing by the pharmacist and such written  
8 memorandum thereof shall be dated on the day when such oral  
9 prescription is received by the pharmacist and shall bear the  
10 full name and address of the ultimate user for whom, or of the  
11 owner of the animal for which the controlled substance is  
12 dispensed, and the full name, address, and registry number  
13 under the law of the United States relating to controlled  
14 substances of the prescriber prescribing if he or she is  
15 required by those laws to be so registered, and the pharmacist  
16 filling such oral prescription shall write the date of filling  
17 and his or her own signature on the face of such written  
18 memorandum thereof. The facsimile copy of the prescription or  
19 written memorandum of the oral prescription shall be retained  
20 on file by the proprietor of the pharmacy in which it is filled  
21 for a period of not less than two years, so as to be readily  
22 accessible for inspection by any officer or employee engaged  
23 in the enforcement of this Act in the same manner as a written  
24 prescription. The facsimile copy of the prescription or oral  
25 prescription and the written memorandum thereof shall not be  
26 filled or refilled more than 6 months after the date thereof or

1 be refilled more than 5 times, unless renewed, in writing, by  
2 the prescriber.

3 (c) Except for any non-prescription targeted  
4 methamphetamine precursor regulated by the Methamphetamine  
5 Precursor Control Act, a controlled substance included in  
6 Schedule V shall not be distributed or dispensed other than  
7 for a medical purpose and not for the purpose of evading this  
8 Act, and then:

9 (1) only personally by a person registered to dispense  
10 a Schedule V controlled substance and then only to his or  
11 her patients, or

12 (2) only personally by a pharmacist, and then only to  
13 a person over 21 years of age who has identified himself or  
14 herself to the pharmacist by means of 2 positive documents  
15 of identification.

16 The dispenser shall record the name and address of the  
17 purchaser, the name and quantity of the product, the date and  
18 time of the sale, and the dispenser's signature.

19 No person shall purchase or be dispensed more than 120  
20 milliliters or more than 120 grams of any Schedule V substance  
21 which contains codeine, dihydrocodeine, or any salts thereof,  
22 or ethylmorphine, or any salts thereof, in any 96-hour period.  
23 The purchaser shall sign a form, approved by the Department of  
24 Financial and Professional Regulation, attesting that he or  
25 she has not purchased any Schedule V controlled substances  
26 within the immediately preceding 96 hours.

1 All records of purchases and sales shall be maintained for  
2 not less than 2 years.

3 No person shall obtain or attempt to obtain within any  
4 consecutive 96-hour period any Schedule V substances of more  
5 than 120 milliliters or more than 120 grams containing  
6 codeine, dihydrocodeine or any of its salts, or ethylmorphine  
7 or any of its salts. Any person obtaining any such  
8 preparations or combination of preparations in excess of this  
9 limitation shall be in unlawful possession of such controlled  
10 substance.

11 A person qualified to dispense controlled substances under  
12 this Act and registered thereunder shall at no time maintain  
13 or keep in stock a quantity of Schedule V controlled  
14 substances in excess of 4.5 liters for each substance; a  
15 pharmacy shall at no time maintain or keep in stock a quantity  
16 of Schedule V controlled substances as defined in excess of  
17 4.5 liters for each substance, plus the additional quantity of  
18 controlled substances necessary to fill the largest number of  
19 prescription orders filled by that pharmacy for such  
20 controlled substances in any one week in the previous year.  
21 These limitations shall not apply to Schedule V controlled  
22 substances which Federal law prohibits from being dispensed  
23 without a prescription.

24 No person shall distribute or dispense butyl nitrite for  
25 inhalation or other introduction into the human body for  
26 euphoric or physical effect.

1 (d) Every practitioner shall keep a record or log of  
2 controlled substances received by him or her and a record of  
3 all such controlled substances administered, dispensed or  
4 professionally used by him or her otherwise than by  
5 prescription. It shall, however, be sufficient compliance with  
6 this paragraph if any practitioner utilizing controlled  
7 substances listed in Schedules III, IV and V shall keep a  
8 record of all those substances dispensed and distributed by  
9 him or her other than those controlled substances which are  
10 administered by the direct application of a controlled  
11 substance, whether by injection, inhalation, ingestion, or any  
12 other means to the body of a patient or research subject. A  
13 practitioner who dispenses, other than by administering, a  
14 controlled substance in Schedule II, which is a narcotic drug  
15 listed in Section 206 of this Act, or which contains any  
16 quantity of amphetamine or methamphetamine, their salts,  
17 optical isomers or salts of optical isomers, pentazocine, or  
18 methaqualone shall do so only upon the issuance of a written  
19 prescription blank or electronic prescription issued by a  
20 prescriber.

21 (d-1) A pharmacist shall require positive recognition of  
22 an individual to whom Schedule II controlled substances are  
23 dispensed or delivered if the individual is not known to the  
24 pharmacist or pharmacy employees, except if positive  
25 identification is not available and a pharmacist exercising  
26 professional judgment determines that a delay in dispensing

1 the controlled substance may be detrimental to a patient.

2 (e) Whenever a manufacturer distributes a controlled  
3 substance in a package prepared by him or her, and whenever a  
4 wholesale distributor distributes a controlled substance in a  
5 package prepared by him or her or the manufacturer, he or she  
6 shall securely affix to each package in which that substance  
7 is contained a label showing in legible English the name and  
8 address of the manufacturer, the distributor and the quantity,  
9 kind and form of controlled substance contained therein. No  
10 person except a pharmacist and only for the purposes of  
11 filling a prescription under this Act, shall alter, deface or  
12 remove any label so affixed.

13 (f) Whenever a practitioner dispenses any controlled  
14 substance except a non-prescription Schedule V product or a  
15 non-prescription targeted methamphetamine precursor regulated  
16 by the Methamphetamine Precursor Control Act, he or she shall  
17 affix to the container in which such substance is sold or  
18 dispensed, a label indicating the date of initial filling, the  
19 practitioner's name and address, the name of the patient, the  
20 name of the prescriber, the directions for use and cautionary  
21 statements, if any, contained in any prescription or required  
22 by law, the proprietary name or names or the established name  
23 of the controlled substance, and the dosage and quantity,  
24 except as otherwise authorized by regulation by the Department  
25 of Financial and Professional Regulation. No person shall  
26 alter, deface or remove any label so affixed as long as the

1 specific medication remains in the container.

2 (g) A person to whom or for whose use any controlled  
3 substance has been prescribed or dispensed by a practitioner,  
4 or other persons authorized under this Act, and the owner of  
5 any animal for which such substance has been prescribed or  
6 dispensed by a veterinarian, may lawfully possess such  
7 substance only in the container in which it was delivered to  
8 him or her by the person dispensing such substance.

9 (h) The responsibility for the proper prescribing or  
10 dispensing of controlled substances that are under the  
11 prescriber's direct control is upon the prescriber. The  
12 responsibility for the proper filling of a prescription for  
13 controlled substance drugs rests with the pharmacist. An order  
14 purporting to be a prescription issued to any individual,  
15 which is not in the regular course of professional treatment  
16 nor part of an authorized methadone maintenance program, nor  
17 in legitimate and authorized research instituted by any  
18 accredited hospital, educational institution, charitable  
19 foundation, or federal, state or local governmental agency,  
20 and which is intended to provide that individual with  
21 controlled substances sufficient to maintain that individual's  
22 or any other individual's, habitual or customary use,  
23 dependence, or diversion of that controlled substance is not a  
24 prescription within the meaning and intent of this Act; and  
25 the person issuing it, shall be subject to the penalties  
26 provided for violations of the law relating to controlled

1 substances.

2 (i) A prescriber shall not pre-print or cause to be  
3 pre-printed a prescription for any controlled substance; nor  
4 shall any practitioner issue, fill or cause to be issued or  
5 filled, a pre-printed prescription for any controlled  
6 substance.

7 (i-5) A prescriber may use a machine or electronic device  
8 to individually generate a printed prescription, but the  
9 prescriber is still required to affix his or her manual  
10 signature.

11 (j) No person shall manufacture, dispense, deliver,  
12 possess with intent to deliver, prescribe, or administer or  
13 cause to be administered under his or her direction any  
14 anabolic steroid, for any use in humans other than the  
15 treatment of disease in accordance with the order of a  
16 physician licensed to practice medicine in all its branches  
17 for a valid medical purpose in the course of professional  
18 practice. The use of anabolic steroids for the purpose of  
19 hormonal manipulation that is intended to increase muscle  
20 mass, strength or weight without a medical necessity to do so,  
21 or for the intended purpose of improving physical appearance  
22 or performance in any form of exercise, sport, or game, is not  
23 a valid medical purpose or in the course of professional  
24 practice.

25 (k) Controlled substances may be mailed if all of the  
26 following conditions are met:

1           (1) The controlled substances are not outwardly  
2 dangerous and are not likely, of their own force, to cause  
3 injury to a person's life or health.

4           (2) The inner container of a parcel containing  
5 controlled substances must be marked and sealed as  
6 required under this Act and its rules, and be placed in a  
7 plain outer container or securely wrapped in plain paper.

8           (3) If the controlled substances consist of  
9 prescription medicines, the inner container must be  
10 labeled to show the name and address of the pharmacy or  
11 practitioner dispensing the prescription.

12           (4) The outside wrapper or container must be free of  
13 markings that would indicate the nature of the contents.

14           (1) Notwithstanding any other provision of this Act to the  
15 contrary, emergency medical services personnel may administer  
16 Schedule II, III, IV, or V controlled substances to a person in  
17 the scope of their employment without a written, electronic,  
18 or oral prescription of a prescriber.

19           (Source: P.A. 102-1040, eff. 1-1-23; 103-154, eff. 6-30-23;  
20 103-881, eff. 1-1-25.)