

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 Methamphetamine Precursor Control Act is
5 amended by changing Section 25 as follows:

6 (720 ILCS 648/25)

7 Sec. 25. Pharmacies.

8 (a) No targeted methamphetamine precursor may be knowingly
9 distributed through a pharmacy, including a pharmacy located
10 within, owned by, operated by, or associated with a retail
11 distributor unless all terms of this Section are satisfied.

12 (b) Any targeted methamphetamine precursor other than a
13 convenience package or a liquid, including but not limited to
14 any targeted methamphetamine precursor in liquid-filled
15 capsules, shall: be packaged in blister packs, with each
16 blister containing not more than 2 dosage units, or when the
17 use of blister packs is technically infeasible, in unit dose
18 packets. Each targeted package shall contain no more than
19 3,600 ~~3,000~~ milligrams of ephedrine or pseudoephedrine, their
20 salts or optical isomers, or salts of optical isomers.

21 (c) The targeted methamphetamine precursor shall be stored
22 behind the pharmacy counter and distributed by a pharmacist or
23 pharmacy technician licensed under the Pharmacy Practice Act,

1 or by an agent of the pharmacist or pharmacy technician.

2 (d) Any retail distributor operating a pharmacy, and any
3 pharmacist or pharmacy technician involved in the transaction
4 or transactions, shall ensure that any person purchasing,
5 receiving, or otherwise acquiring the targeted methamphetamine
6 precursor complies with subsection (a) of Section 20 of this
7 Act.

8 (e) Any retail distributor operating a pharmacy, and any
9 pharmacist or pharmacy technician involved in the transaction
10 or transactions, shall verify that:

11 (1) The person purchasing, receiving, or otherwise
12 acquiring the targeted methamphetamine precursor is 18
13 years of age or older and resembles the photograph of the
14 person on the government-issued identification presented
15 by the person; and

16 (2) The name entered into the log referred to in
17 subsection (a) of Section 20 of this Act corresponds to
18 the name on the government-issued identification presented
19 by the person.

20 (f) The logs referred to in subsection (a) of Section 20 of
21 this Act shall be kept confidential, maintained for not less
22 than 4 years, and made available for inspection and copying by
23 any law enforcement officer upon request of that officer.
24 These logs shall be kept in an electronic format as required by
25 the Methamphetamine Precursor Tracking Act.

26 (g) No retail distributor operating a pharmacy, and no

1 pharmacist or pharmacy technician, shall knowingly distribute
2 any targeted methamphetamine precursor to any person under 18
3 years of age.

4 (h) No retail distributor operating a pharmacy, and no
5 pharmacist or pharmacy technician, shall knowingly distribute
6 to a single person more than 3.6 grams per day or 7.5 grams in
7 a 30-day period of a targeted methamphetamine precursor ~~2~~
8 ~~targeted packages in a single retail transaction.~~

9 (i) No retail distributor operating a pharmacy, and no
10 pharmacist or pharmacy technician, shall knowingly distribute
11 to a single person in any 30-day period products containing
12 more than a total of 7,500 milligrams of ephedrine or
13 pseudoephedrine, their salts or optical isomers, or salts of
14 optical isomers.

15 (j) A pharmacist or pharmacy technician may distribute a
16 targeted methamphetamine precursor to a person who is without
17 a form of identification specified in paragraph (1) of
18 subsection (a) of Section 20 of this Act only if all other
19 provisions of this Act are followed and either:

20 (1) the person presents a driver's license issued
21 without a photograph by the State of Illinois pursuant to
22 the Illinois Administrative Code, Title 92, Section
23 1030.90(b)(1) or 1030.90(b)(2); or

24 (2) the person is known to the pharmacist or pharmacy
25 technician, the person presents some form of
26 identification, and the pharmacist or pharmacy technician

1 reasonably believes that the targeted methamphetamine
2 precursor will be used for a legitimate medical purpose
3 and not to manufacture methamphetamine.

4 (k) When a pharmacist or pharmacy technician distributes a
5 targeted methamphetamine precursor to a person according to
6 the procedures set forth in this Act, and the pharmacist or
7 pharmacy technician does not have access to a working cash
8 register at the pharmacy counter, the pharmacist or pharmacy
9 technician may instruct the person to pay for the targeted
10 methamphetamine precursor at a cash register located elsewhere
11 in the retail establishment, whether that register is operated
12 by a pharmacist, pharmacy technician, or other employee or
13 agent of the retail establishment.

14 (Source: P.A. 96-50, eff. 10-21-09; 97-670, eff. 1-19-12.)

15 Section 10. The Methamphetamine Precursor Tracking Act is
16 amended by changing Sections 15 and 30 as follows:

17 (720 ILCS 649/15)

18 Sec. 15. General provisions.

19 (a) Structure. There is established a statewide precursor
20 tracking program coordinated and administered by the Illinois
21 State Police to track purchases of targeted methamphetamine
22 precursors across multiple locations for the purposes stated
23 in Section 5 of this Act. Every covered pharmacy must comply
24 with this Act. The tracking program created by this Act shall

1 be the sole methamphetamine precursor tracking program in
2 Illinois.

3 (b) Transmission of electronic transaction records. Unless
4 otherwise provided in this Act, each time a covered pharmacy
5 distributes a targeted methamphetamine precursor to a
6 recipient, the pharmacy shall transmit an electronic
7 transaction record to the Central Repository.

8 (c) Notification. The Illinois Department of Financial and
9 Professional Regulation shall notify pharmacies seeking
10 licensure in Illinois of their obligation to comply with the
11 requirements of this Act.

12 (d) Electronic transmission. Starting on the effective
13 date of this Act and continuing thereafter, covered pharmacies
14 shall transmit all electronic transaction records as required
15 by this Act.

16 (e) Funding.

17 (1) On and after October 1, 2025, any manufacturer of
18 products containing methamphetamine precursors sold in or
19 brought into this State must, on a monthly basis, pay fees
20 to the Central Repository.

21 (2) The Central Repository shall be responsible for
22 setting the fee levels required under paragraph (1).

23 (3) At the request of the Illinois State Police,
24 manufacturers required to pay fees under paragraph (1)
25 shall be required to provide written documentation
26 demonstrating that they have paid such fees.

1 (4) The sale of methamphetamine precursors in or
2 brought into this State by a manufacturer who has failed
3 to pay fees required under paragraph (1) shall be
4 considered a violation of this Section and shall subject
5 the manufacturer to the penalties outlined in subsection
6 (c) of Section 30.

7 (5) Nothing in this subsection (e) applies to a
8 manufacturer of products containing methamphetamine
9 precursors sold in or brought into this State that are
10 available only pursuant to a valid prescription.

11 (6) Funding for the tracking program shall be provided
12 by the Illinois State Police drawing upon federal and
13 State grant money and other available sources.

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

15 (720 ILCS 649/30)

16 Sec. 30. Violations.

17 (a) Any covered pharmacy or retail distributor that
18 violates this Act is guilty of a petty offense and subject to a
19 fine of \$500 for a first offense; \$1,000 for a second offense
20 occurring at the same retail location as and within 3 years of
21 the offense; and \$5,000 for a third or subsequent offense
22 occurring at the same retail location as and within 3 years of
23 the prior offenses.

24 (b) An employee or agent of a covered pharmacy who
25 violates this Act is guilty of a Class A misdemeanor for a

1 first offense; a Class 4 felony for a second offense; and a
2 Class 1 felony for a third or subsequent offense.

3 (c) Any manufacturer that violates subsection (e) of
4 Section 15 of this Act is guilty of a petty offense and subject
5 to a fine of \$500 for a first offense; \$1,000 for a second
6 offense occurring within 3 years of the first offense; and
7 \$5,000 for a third or subsequent offense occurring within 3
8 years of the prior offenses.

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

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