

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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

6 (210 ILCS 150/17)

7 Sec. 17. Pharmaceutical disposal. Notwithstanding any
8 provision of law, any county or city, village, or municipality
9 may authorize the use of its city hall, ~~or~~ police department,
10 or any other facility under the county's or municipality's
11 control to display a container suitable for use as a receptacle
12 for used, expired, or unwanted pharmaceuticals. These used,
13 expired, or unwanted pharmaceuticals may include unused
14 medication and prescription drugs, as well as controlled
15 substances if collected in accordance with federal law. This
16 receptacle shall only permit the deposit of items, and the
17 contents shall be locked and secured. The container shall be
18 accessible to the public and shall have posted clearly legible
19 signage indicating that expired or unwanted prescription drugs
20 may be disposed of in the receptacle. The county or
21 municipality shall provide continuous or regular notice to the
22 public regarding the availability of the receptacle. To the
23 extent allowed under federal law, pharmaceuticals collected

1 under this Section may be disposed of in a drug destruction
2 device, as defined in Section 22.58 of the Environmental
3 Protection Act.

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

5 Section 10. The Environmental Protection Act is amended by
6 changing Section 22.58 as follows:

7 (415 ILCS 5/22.58)

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

9 (a) For purposes of this Section:

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

16 "Drug evidence" means any illegal drug collected as
17 evidence by a law enforcement agency. "Drug evidence" does not
18 include hazardous waste.

19 "Illegal drug" means any one or more of the following when
20 obtained without a prescription or otherwise in violation of
21 the law:

22 (1) any substance as defined and included in the
23 Schedules of Article II of the Illinois Controlled
24 Substances Act;

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

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

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

9 "Non-retrievable" means the condition or state following a
10 process that permanently alters the illegal drug's physical or
11 chemical condition or state through irreversible means and
12 thereby renders the illegal drug unavailable and unusable for
13 all practical purposes.

14 (b) To the extent allowed under federal law, drug evidence
15 that is placed into a drug destruction device by a law
16 enforcement agency at the location where the evidence is stored
17 by the agency and that is destroyed under the supervision of
18 the agency in accordance with the specifications of the device
19 manufacturer shall not be considered discarded or a waste under
20 this Act until it is rendered non-retrievable.

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

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.