

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 Environmental Protection Act is amended by
5 changing Section 3.458 as follows:

6 (415 ILCS 5/3.458)

7 Sec. 3.458. Sharps collection station.

8 (a) "Sharps collection station" means a designated area at
9 an applicable facility where (i) hypodermic, intravenous, or
10 other medical needles or syringes or other sharps, or (ii)
11 medical household waste containing medical sharps, including,
12 but not limited to, hypodermic, intravenous, or other medical
13 needles or syringes or other sharps, are collected for
14 transport, storage, treatment, transfer, or disposal.

15 (b) For purposes of this Section, "applicable facility"
16 means any of the following:

17 (1) A hospital.

18 (2) An ambulatory surgical treatment center,
19 physician's office, clinic, or other setting where a
20 physician provides care.

21 (3) A pharmacy employing a registered pharmacist.

22 (4) The principal place of business of any government
23 official who is collecting for transport, storage,

1 ~~treatment, transfer, or disposal of authorized under~~
2 ~~Section 1 of the Hypodermic Syringes and Needles Act (720~~
3 ~~ILCS 635/)~~ to possess hypodermic, intravenous, or other
4 medical needles, or hypodermic or intravenous syringes, by
5 reason of his or her official duties.

6 (Source: P.A. 94-641, eff. 8-22-05.)

7 Section 10. The Hypodermic Syringes and Needles Act is
8 amended by changing Sections 1 and 2 as follows:

9 (720 ILCS 635/1) (from Ch. 38, par. 22-50)

10 Sec. 1. Possession of hypodermic syringes and needles.

11 (a) (Blank). ~~Except as provided in subsection (b), no~~
12 ~~person, not being a physician, dentist, chiropractist or~~
13 ~~veterinarian licensed under the laws of this State or of the~~
14 ~~state where he resides, or a registered professional nurse, or~~
15 ~~a registered embalmer, manufacturer or dealer in embalming~~
16 ~~supplies, wholesale druggist, manufacturing pharmacist,~~
17 ~~registered pharmacist, manufacturer of surgical instruments,~~
18 ~~industrial user, official of any government having possession~~
19 ~~of the articles hereinafter mentioned by reason of his or her~~
20 ~~official duties, nurse or a medical laboratory technician~~
21 ~~acting under the direction of a physician or dentist, employee~~
22 ~~of an incorporated hospital acting under the direction of its~~
23 ~~superintendent or officer in immediate charge, or a carrier or~~
24 ~~messenger engaged in the transportation of the articles, or~~

1 ~~the holder of a permit issued under Section 5 of this Act, or a~~
2 ~~farmer engaged in the use of the instruments on livestock, or a~~
3 ~~person engaged in chemical, clinical, pharmaceutical or other~~
4 ~~scientific research, or a staff person, volunteer, or~~
5 ~~participant in a needle or hypodermic syringe access program,~~
6 ~~shall have in his or her possession a hypodermic syringe,~~
7 ~~hypodermic needle, or any instrument adapted for the use of~~
8 ~~controlled substances or cannabis by subcutaneous injection.~~

9 (b) A person ~~who is at least 18 years of age~~ may purchase
10 from any supplier ~~a pharmacy~~ and have in his or her possession
11 any amount of up to 100 hypodermic syringes or needles.

12 (Source: P.A. 100-326, eff. 1-1-18; 101-356, eff. 8-9-19.)

13 (720 ILCS 635/2) (from Ch. 38, par. 22-51)

14 Sec. 2. Sale of hypodermic syringes and needles.

15 (a) (Blank). ~~Except as provided in subsection (b), no~~
16 ~~syringe, needle or instrument shall be delivered or sold to,~~
17 ~~or exchanged with, any person except a registered pharmacist,~~
18 ~~physician, dentist, veterinarian, registered embalmer,~~
19 ~~manufacturer or dealer in embalming supplies, wholesale~~
20 ~~druggist, manufacturing pharmacist, industrial user, a nurse~~
21 ~~upon the written order of a physician or dentist, the holder of~~
22 ~~a permit issued under Section 5 of this Act, a registered~~
23 ~~chiropractist, or an employee of an incorporated hospital upon~~
24 ~~the written order of its superintendent or officer in~~
25 ~~immediate charge; provided that the provisions of this Act~~

1 ~~shall not prohibit the sale, possession or use of hypodermic~~
2 ~~syringes or hypodermic needles for treatment of livestock or~~
3 ~~poultry by the owner or keeper thereof or a person engaged in~~
4 ~~chemical, clinical, pharmaceutical or other scientific~~
5 ~~research, or a staff person, volunteer, or participant in a~~
6 ~~needle or hypodermic syringe access program.~~

7 (b) Any supplier ~~A pharmacist~~ may sell any amount of up to
8 ~~100~~ sterile hypodermic syringes or needles to any ~~a~~ person ~~who~~
9 ~~is at least 18 years of age. A syringe or needle sold under~~
10 ~~this subsection (b) must be stored at a pharmacy and in a~~
11 ~~manner that limits access to the syringes or needles to~~
12 ~~pharmacists employed at the pharmacy and any persons~~
13 ~~designated by the pharmacists. A syringe or needle sold at a~~
14 ~~pharmacy under this subsection (b) may be sold only from the~~
15 ~~pharmacy department of the pharmacy.~~

16 (Source: P.A. 100-326, eff. 1-1-18; 101-356, eff. 8-9-19.)

17 (720 ILCS 635/5 rep.)

18 Section 15. The Hypodermic Syringes and Needles Act is
19 amended by repealing Section 5.