



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0246

Introduced 1/14/2005, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

410 ILCS 620/4

from Ch. 56 1/2, par. 504

410 ILCS 620/16.10 new

Amends the Illinois Food, Drug and Cosmetic Act. Provides that a person may not sell, redistribute, or otherwise dispense any prescription drug that has previously been sold, distributed, or otherwise dispensed and has been returned to a pharmacy. Provides that a person who violates this provision is subject to an injunction and criminal penalties as provided in the Act. Requires the Department of Public Health to establish and administer a program under which a local law enforcement authority or local public health office shall (i) take possession of prescription drugs that have been returned to a pharmacy and (ii) properly dispose of those drugs according to standards adopted by the Department.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning health.

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

4 Section 5. The Illinois Food, Drug and Cosmetic Act is  
5 amended by changing Section 4 and by adding Section 16.10 as  
6 follows:

7 (410 ILCS 620/4) (from Ch. 56 1/2, par. 504)

8 Sec. 4. In addition to the remedies hereinafter provided  
9 the Director is authorized to file a complaint and apply to the  
10 circuit court for, and such court may upon hearing and for  
11 cause shown grant, a temporary restraining order or preliminary  
12 or permanent injunction restraining any person from violating  
13 any provision of Sections 3.1 through 3.21 or Section 16.10.

14 (Source: P.A. 84-891.)

15 (410 ILCS 620/16.10 new)

16 Sec. 16.10. Returned prescription drugs.

17 (a) A person may not sell, redistribute, or otherwise  
18 dispense any prescription drug that has previously been sold,  
19 distributed, or otherwise dispensed and has been returned to a  
20 pharmacy. A person who violates this subsection (a) is subject  
21 to an injunction as provided in Section 4 and criminal  
22 penalties as provided in Section 5.

23 (b) The Department of Public Health shall establish and  
24 administer a program under which a local law enforcement  
25 authority or local public health office shall (i) take  
26 possession of prescription drugs that have been returned to a  
27 pharmacy and (ii) properly dispose of those drugs according to  
28 standards adopted by the Department.