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09400HB0246ham002

LRB094 03646 DRJ 42669 a

1 AMENDMENT TO HOUSE BILL 246

2 AMENDMENT NO. _____. Amend House Bill 246 by replacing
3 everything after the enacting clause with the following:

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. Previously dispensed 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. A person who violates this
20 subsection (a) is subject to an injunction as provided in
21 Section 4 and criminal penalties as provided in Section 5.

22 (b) The Department of Public Health shall establish and
23 administer a program under which a local law enforcement

1 authority or local public health office shall (i) take
2 possession, pursuant to an injunction issued in response to a
3 violation of subsection (a) or by confiscation pursuant to a
4 prosecution for a violation of subsection (a), of prescription
5 drugs that have been returned to a pharmacy and (ii) properly
6 dispose of those drugs according to standards adopted by the
7 Department."