



Rep. Mary E. Flowers

**Filed: 3/8/2005**

09400HB0246ham003

LRB094 03646 DRJ 42993 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 by a pharmacist. A person  
20 who violates this subsection (a) is subject to an injunction as  
21 provided in Section 4 and criminal penalties as provided in  
22 Section 5.

23 (b) The Department of Public Health shall establish and

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