

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 2. The Illinois Controlled Substances Act is  
5 amended by changing Section 312 as follows:

6 (720 ILCS 570/312) (from Ch. 56 1/2, par. 1312)

7 Sec. 312. Requirements for dispensing controlled  
8 substances.

9 (a) A practitioner, in good faith, may dispense a Schedule  
10 II controlled substance, which is a narcotic drug listed in  
11 Section 206 of this Act; or which contains any quantity of  
12 amphetamine or methamphetamine, their salts, optical isomers  
13 or salts of optical isomers; phenmetrazine and its salts; or  
14 pentazocine; and Schedule III, IV, or V controlled substances  
15 to any person upon a written prescription of any prescriber,  
16 dated and signed by the person prescribing on the day when  
17 issued and bearing the name and address of the patient for  
18 whom, or the owner of the animal for which the controlled  
19 substance is dispensed, and the full name, address and registry  
20 number under the laws of the United States relating to  
21 controlled substances of the prescriber, if he is required by  
22 those laws to be registered. If the prescription is for an  
23 animal it shall state the species of animal for which it is  
24 ordered. The practitioner filling the prescription shall write  
25 the date of filling and his own signature on the face of the  
26 written prescription. The written prescription shall be  
27 retained on file by the practitioner who filled it or pharmacy  
28 in which the prescription was filled for a period of 2 years,  
29 so as to be readily accessible for inspection or removal by any  
30 officer or employee engaged in the enforcement of this Act.  
31 Whenever the practitioner's or pharmacy's copy of any  
32 prescription is removed by an officer or employee engaged in

1 the enforcement of this Act, for the purpose of investigation  
2 or as evidence, such officer or employee shall give to the  
3 practitioner or pharmacy a receipt in lieu thereof. A  
4 prescription for a Schedule II controlled substance shall not  
5 be filled more than 7 days after the date of issuance. A  
6 written prescription for Schedule III, IV or V controlled  
7 substances shall not be filled or refilled more than 6 months  
8 after the date thereof or refilled more than 5 times unless  
9 renewed, in writing, by the prescriber.

10 (b) In lieu of a written prescription required by this  
11 Section, a pharmacist, in good faith, may dispense Schedule  
12 III, IV, or V substances to any person either upon receiving a  
13 facsimile of a written, signed prescription transmitted by the  
14 prescriber or the prescriber's agent or upon a lawful oral  
15 prescription of a prescriber which oral prescription shall be  
16 reduced promptly to writing by the pharmacist and such written  
17 memorandum thereof shall be dated on the day when such oral  
18 prescription is received by the pharmacist and shall bear the  
19 full name and address of the ultimate user for whom, or of the  
20 owner of the animal for which the controlled substance is  
21 dispensed, and the full name, address, and registry number  
22 under the law of the United States relating to controlled  
23 substances of the prescriber prescribing if he is required by  
24 those laws to be so registered, and the pharmacist filling such  
25 oral prescription shall write the date of filling and his own  
26 signature on the face of such written memorandum thereof. The  
27 facsimile copy of the prescription or written memorandum of the  
28 oral prescription shall be retained on file by the proprietor  
29 of the pharmacy in which it is filled for a period of not less  
30 than two years, so as to be readily accessible for inspection  
31 by any officer or employee engaged in the enforcement of this  
32 Act in the same manner as a written prescription. The facsimile  
33 copy of the prescription or oral prescription and the written  
34 memorandum thereof shall not be filled or refilled more than 6  
35 months after the date thereof or be refilled more than 5 times,  
36 unless renewed, in writing, by the prescriber.

1 (c) Except for any non-prescription targeted  
2 methamphetamine precursor regulated by ~~as defined in~~ the  
3 Methamphetamine Precursor Control Act, a controlled substance  
4 included in Schedule V shall not be distributed or dispensed  
5 other than for a medical purpose and not for the purpose of  
6 evading this Act, and then:

7 (1) only personally by a person registered to dispense  
8 a Schedule V controlled substance and then only to his  
9 patients, or

10 (2) only personally by a pharmacist, and then only to a  
11 person over 21 years of age who has identified himself to  
12 the pharmacist by means of 2 positive documents of  
13 identification.

14 (3) the dispenser shall record the name and address of  
15 the purchaser, the name and quantity of the product, the  
16 date and time of the sale, and the dispenser's signature.

17 (4) no person shall purchase or be dispensed more than  
18 120 milliliters or more than 120 grams of any Schedule V  
19 substance which contains codeine, dihydrocodeine, or any  
20 salts thereof, or ethylmorphine, or any salts thereof, in  
21 any 96 hour period. The purchaser shall sign a form,  
22 approved by the Department of Professional Regulation,  
23 attesting that he has not purchased any Schedule V  
24 controlled substances within the immediately preceding 96  
25 hours.

26 (5) a copy of the records of sale, including all  
27 information required by paragraph (3), shall be forwarded  
28 to the Department of Professional Regulation at its  
29 principal office by the 15th day of the following month.

30 (6) all records of purchases and sales shall be  
31 maintained for not less than 2 years.

32 (7) no person shall obtain or attempt to obtain within  
33 any consecutive 96 hour period any Schedule V substances of  
34 more than 120 milliliters or more than 120 grams containing  
35 codeine, dihydrocodeine or any of its salts, or  
36 ethylmorphine or any of its salts. Any person obtaining any

1           such preparations or combination of preparations in excess  
2           of this limitation shall be in unlawful possession of such  
3           controlled substance.

4           (8) a person qualified to dispense controlled  
5           substances under this Act and registered thereunder shall  
6           at no time maintain or keep in stock a quantity of Schedule  
7           V controlled substances defined and listed in Section 212  
8           (b) (1), (2) or (3) in excess of 4.5 liters for each  
9           substance; a pharmacy shall at no time maintain or keep in  
10          stock a quantity of Schedule V controlled substances as  
11          defined in excess of 4.5 liters for each substance, plus  
12          the additional quantity of controlled substances necessary  
13          to fill the largest number of prescription orders filled by  
14          that pharmacy for such controlled substances in any one  
15          week in the previous year. These limitations shall not  
16          apply to Schedule V controlled substances which Federal law  
17          prohibits from being dispensed without a prescription.

18          (9) no person shall distribute or dispense butyl  
19          nitrite for inhalation or other introduction into the human  
20          body for euphoric or physical effect.

21          (d) Every practitioner shall keep a record of controlled  
22          substances received by him and a record of all such controlled  
23          substances administered, dispensed or professionally used by  
24          him otherwise than by prescription. It shall, however, be  
25          sufficient compliance with this paragraph if any practitioner  
26          utilizing controlled substances listed in Schedules III, IV and  
27          V shall keep a record of all those substances dispensed and  
28          distributed by him other than those controlled substances which  
29          are administered by the direct application of a controlled  
30          substance, whether by injection, inhalation, ingestion, or any  
31          other means to the body of a patient or research subject. A  
32          practitioner who dispenses, other than by administering, a  
33          controlled substance in Schedule II, which is a narcotic drug  
34          listed in Section 206 of this Act, or which contains any  
35          quantity of amphetamine or methamphetamine, their salts,  
36          optical isomers or salts of optical isomers, pentazocine, or

1 methaqualone shall do so only upon the issuance of a written  
2 prescription blank by a prescriber.

3 (e) Whenever a manufacturer distributes a controlled  
4 substance in a package prepared by him, and whenever a  
5 wholesale distributor distributes a controlled substance in a  
6 package prepared by him or the manufacturer, he shall securely  
7 affix to each package in which that substance is contained a  
8 label showing in legible English the name and address of the  
9 manufacturer, the distributor and the quantity, kind and form  
10 of controlled substance contained therein. No person except a  
11 pharmacist and only for the purposes of filling a prescription  
12 under this Act, shall alter, deface or remove any label so  
13 affixed.

14 (f) Whenever a practitioner dispenses any controlled  
15 substance except a non-prescription targeted methamphetamine  
16 precursor regulated by ~~as defined in~~ the Methamphetamine  
17 Precursor Control Act, he shall affix to the container in which  
18 such substance is sold or dispensed, a label indicating the  
19 date of initial filling, the practitioner's name and address,  
20 the name of the patient, the name of the prescriber, the  
21 directions for use and cautionary statements, if any, contained  
22 in any prescription or required by law, the proprietary name or  
23 names or the established name of the controlled substance, and  
24 the dosage and quantity, except as otherwise authorized by  
25 regulation by the Department of Professional Regulation. No  
26 person shall alter, deface or remove any label so affixed.

27 (g) A person to whom or for whose use any controlled  
28 substance has been prescribed or dispensed by a practitioner,  
29 or other persons authorized under this Act, and the owner of  
30 any animal for which such substance has been prescribed or  
31 dispensed by a veterinarian, may lawfully possess such  
32 substance only in the container in which it was delivered to  
33 him by the person dispensing such substance.

34 (h) The responsibility for the proper prescribing or  
35 dispensing of controlled substances is upon the prescriber and  
36 the responsibility for the proper filling of a prescription for

1 controlled substance drugs rests with the pharmacist. An order  
2 purporting to be a prescription issued to any individual, which  
3 is not in the regular course of professional treatment nor part  
4 of an authorized methadone maintenance program, nor in  
5 legitimate and authorized research instituted by any  
6 accredited hospital, educational institution, charitable  
7 foundation, or federal, state or local governmental agency, and  
8 which is intended to provide that individual with controlled  
9 substances sufficient to maintain that individual's or any  
10 other individual's physical or psychological addiction,  
11 habitual or customary use, dependence, or diversion of that  
12 controlled substance is not a prescription within the meaning  
13 and intent of this Act; and the person issuing it, shall be  
14 subject to the penalties provided for violations of the law  
15 relating to controlled substances.

16 (i) A prescriber shall not preprint or cause to be  
17 preprinted a prescription for any controlled substance; nor  
18 shall any practitioner issue, fill or cause to be issued or  
19 filled, a preprinted prescription for any controlled  
20 substance.

21 (j) No person shall manufacture, dispense, deliver,  
22 possess with intent to deliver, prescribe, or administer or  
23 cause to be administered under his direction any anabolic  
24 steroid, for any use in humans other than the treatment of  
25 disease in accordance with the order of a physician licensed to  
26 practice medicine in all its branches for a valid medical  
27 purpose in the course of professional practice. The use of  
28 anabolic steroids for the purpose of hormonal manipulation that  
29 is intended to increase muscle mass, strength or weight without  
30 a medical necessity to do so, or for the intended purpose of  
31 improving physical appearance or performance in any form of  
32 exercise, sport, or game, is not a valid medical purpose or in  
33 the course of professional practice.

34 (Source: P.A. 94-694, eff. 1-15-06.)

35 Section 5. The Methamphetamine Control and Community

1 Protection Act is amended by changing Sections 15, 20, 25, 30,  
2 45, and 55 and by adding Section 56 as follows:

3 (720 ILCS 646/15)

4 Sec. 15. Participation in methamphetamine manufacturing.

5 (a) Participation in methamphetamine manufacturing.

6 (1) It is unlawful to knowingly participate in the  
7 manufacture of methamphetamine with the intent that  
8 methamphetamine or a substance containing methamphetamine  
9 be produced.

10 (2) A person who violates paragraph (1) of this  
11 subsection (a) is subject to the following penalties:

12 (A) A person who participates in the manufacture of  
13 less than 15 grams of methamphetamine or a substance  
14 containing methamphetamine is guilty of a Class 1  
15 felony.

16 (B) A person who participates in the manufacture of  
17 15 or more grams but less than 100 grams of  
18 methamphetamine or a substance containing  
19 methamphetamine is guilty of a Class X felony, subject  
20 to a term of imprisonment of not less than 6 years and  
21 not more than 30 years, and subject to a fine not to  
22 exceed \$100,000 or the street value of the  
23 methamphetamine manufactured, whichever is greater.

24 (C) A person who participates in the manufacture of  
25 100 or more grams but less than 400 grams of  
26 methamphetamine or a substance containing  
27 methamphetamine is guilty of a Class X felony, subject  
28 to a term of imprisonment of not less than 9 years and  
29 not more than 40 years, and subject to a fine not to  
30 exceed \$200,000 or the street value of the  
31 methamphetamine manufactured, whichever is greater.

32 (D) A person who participates in the manufacture of  
33 400 or more grams but less than 900 grams of  
34 methamphetamine or a substance containing  
35 methamphetamine is guilty of a Class X felony, subject

1 to a term of imprisonment of not less than 12 years and  
2 not more than 50 years, and subject to a fine not to  
3 exceed \$300,000 or the street value of the  
4 methamphetamine manufactured, whichever is greater.

5 (E) A person who participates in the manufacture of  
6 900 grams or more of methamphetamine or a substance  
7 containing methamphetamine is guilty of a Class X  
8 felony, subject to a term of imprisonment of not less  
9 than 15 years and not more than 60 years, and subject  
10 to a fine not to exceed \$400,000 or the street value of  
11 the methamphetamine, whichever is greater.

12 (b) Aggravated participation in methamphetamine  
13 manufacturing.

14 (1) It is unlawful to engage in aggravated  
15 participation in the manufacture of methamphetamine. A  
16 person engages in aggravated participation in the  
17 manufacture of methamphetamine when the person violates  
18 paragraph (1) of subsection (a) and:

19 (A) the person knowingly does so in a multi-unit  
20 dwelling;

21 (B) the person knowingly does so in a structure or  
22 vehicle where a child under the age of 18, a person  
23 with a disability, or a person 60 years of age or older  
24 who is incapable of adequately providing for his or her  
25 own health and personal care resides, is present, or is  
26 endangered by the manufacture of methamphetamine;

27 (C) the person does so in a structure or vehicle  
28 where a woman the person knows to be pregnant  
29 (including but not limited to the person herself)  
30 resides, is present, or is endangered by the  
31 methamphetamine manufacture;

32 (D) the person knowingly does so in a structure or  
33 vehicle protected by one or more firearms, explosive  
34 devices, booby traps, alarm systems, surveillance  
35 systems, guard dogs, or dangerous animals;

36 (E) the methamphetamine manufacturing in which the



1 person participates is a contributing cause of the  
2 death, serious bodily injury, disability, or  
3 disfigurement of another person, including but not  
4 limited to an emergency service provider;

5 (F) the methamphetamine manufacturing in which the  
6 person participates is a contributing cause of a fire  
7 or explosion that damages property belonging to  
8 another person; or

9 (G) the person knowingly organizes, directs, or  
10 finances the methamphetamine manufacturing or  
11 activities carried out in support of the  
12 methamphetamine manufacturing.

13 (2) A person who violates paragraph (1) of this  
14 subsection (b) is subject to the following penalties:

15 (A) A person who participates in the manufacture of  
16 less than 15 grams of methamphetamine or a substance  
17 containing methamphetamine is guilty of a Class X  
18 felony, subject to a term of imprisonment of not less  
19 than 6 years and not more than 30 years, and subject to  
20 a fine not to exceed \$100,000 or the street value of  
21 the methamphetamine, whichever is greater.

22 (B) A person who participates in the manufacture of  
23 15 or more grams but less than 100 grams of  
24 methamphetamine or a substance containing  
25 methamphetamine is guilty of a Class X felony, subject  
26 to a term of imprisonment of not less than 9 years and  
27 not more than 40 years, and subject to a fine not to  
28 exceed \$200,000 or the street value of the  
29 methamphetamine, whichever is greater.

30 (C) A person who participates in the manufacture of  
31 100 or more grams but less than 400 grams of  
32 methamphetamine or a substance containing  
33 methamphetamine is guilty of a Class X felony, subject  
34 to a term of imprisonment of not less than 12 years and  
35 not more than 50 years, and subject to a fine not to  
36 exceed \$300,000 or the street value of the

1 methamphetamine, whichever is greater.

2 (D) A person who participates in the manufacture of  
3 400 grams or more of methamphetamine or a substance  
4 containing methamphetamine is guilty of a Class X  
5 felony, subject to a term of imprisonment of not less  
6 than 15 years and not more than 60 years, and subject  
7 to a fine not to exceed \$400,000 or the street value of  
8 the methamphetamine, whichever is greater.

9 (Source: P.A. 94-556, eff. 9-11-05.)

10 (720 ILCS 646/20)

11 Sec. 20. Methamphetamine precursor.

12 (a) Methamphetamine precursor or substance containing any  
13 methamphetamine precursor in standard dosage form.

14 (1) It is unlawful to knowingly possess, procure,  
15 transport, store, or deliver any methamphetamine precursor  
16 or substance containing any methamphetamine precursor in  
17 standard dosage form with the intent that it be used to  
18 manufacture methamphetamine or a substance containing  
19 methamphetamine.

20 (2) A person who violates paragraph (1) of this  
21 subsection (a) is subject to the following penalties:

22 (A) A person who possesses, procures, transports,  
23 stores, or delivers less than 15 grams of  
24 methamphetamine precursor or substance containing any  
25 methamphetamine precursor is guilty of a Class 2  
26 felony.

27 (B) A person who possesses, procures, transports,  
28 stores, or delivers 15 or more grams but less than 30  
29 grams of methamphetamine precursor or substance  
30 containing any methamphetamine precursor is guilty of  
31 a Class 1 felony.

32 (C) A person who possesses, procures, transports,  
33 stores, or delivers 30 or more grams but less than 150  
34 grams of methamphetamine precursor or substance  
35 containing any methamphetamine precursor is guilty of

1 a Class X felony, subject to a term of imprisonment of  
2 not less than 6 years and not more than 30 years, and  
3 subject to a fine not to exceed \$100,000.

4 (D) A person who possesses, procures, transports,  
5 stores, or delivers 150 or more grams but less than 500  
6 grams of methamphetamine precursor or substance  
7 containing any methamphetamine precursor is guilty of  
8 a Class X felony, subject to a term of imprisonment of  
9 not less than 8 years and not more than 40 years, and  
10 subject to a fine not to exceed \$200,000.

11 (E) A person who possesses, procures, transports,  
12 stores, or delivers 500 or more grams of  
13 methamphetamine precursor or substance containing any  
14 methamphetamine precursor is guilty of a Class X  
15 felony, subject to a term of imprisonment of not less  
16 than 10 years and not more than 50 years, and subject  
17 to a fine not to exceed \$300,000.

18 (b) Methamphetamine precursor or substance containing any  
19 methamphetamine precursor in any form other than a standard  
20 dosage form.

21 (1) It is unlawful to knowingly possess, procure,  
22 transport, store, or deliver any methamphetamine precursor  
23 or substance containing any methamphetamine precursor in  
24 any form other than a standard dosage form with the intent  
25 that it be used to manufacture methamphetamine or a  
26 substance containing methamphetamine.

27 (2) A person who violates paragraph (1) of this  
28 subsection (b) is subject to the following penalties:

29 (A) A person who violates paragraph (1) of this  
30 subsection (b) with the intent that less than 10 grams  
31 of methamphetamine or a substance containing  
32 methamphetamine be manufactured is guilty of a Class 2  
33 felony.

34 (B) A person who violates paragraph (1) of this  
35 subsection (b) with the intent that 10 or more grams  
36 but less than 20 grams of methamphetamine or a

1 substance containing methamphetamine be manufactured  
2 is guilty of a Class 1 felony.

3 (C) A person who violates paragraph (1) of this  
4 subsection (b) with the intent that 20 or more grams  
5 but less than 100 grams of methamphetamine or a  
6 substance containing methamphetamine be manufactured  
7 is guilty of a Class X felony, subject to a term of  
8 imprisonment of not less than 6 years and not more than  
9 30 years, and subject to a fine not to exceed \$100,000.

10 (D) A person who violates paragraph (1) of this  
11 subsection (b) with the intent that 100 or more grams  
12 but less than 350 grams of methamphetamine or a  
13 substance containing methamphetamine be manufactured  
14 is guilty of a Class X felony, subject to a term of  
15 imprisonment of not less than 8 years and not more than  
16 40 years, and subject to a fine not to exceed \$200,000.

17 (E) A person who violates paragraph (1) of this  
18 subsection (b) with the intent that 350 or more grams  
19 of methamphetamine or a substance containing  
20 methamphetamine be manufactured is guilty of a Class X  
21 felony, subject to a term of imprisonment of not less  
22 than 10 years and not more than 50 years, and subject  
23 to a fine not to exceed \$300,000.

24 (c) Rule of evidence. The presence of any methamphetamine  
25 precursor in a sealed, factory imprinted container, including,  
26 but not limited to, a bottle, box, package, or blister pack, at  
27 the time of seizure by law enforcement, is prima facie evidence  
28 that the methamphetamine precursor located within the  
29 container is in fact the material so described and in the  
30 amount listed on the container. The factory imprinted container  
31 is admissible for a violation of this Act for purposes of  
32 proving the contents of the container.

33 (Source: P.A. 94-556, eff. 9-11-05.)

34 (720 ILCS 646/25)

35 Sec. 25. Anhydrous ammonia.

1 (a) Possession, procurement, transportation, storage, or  
2 delivery of anhydrous ammonia with the intent that it be used  
3 to manufacture methamphetamine.

4 (1) It is unlawful to knowingly engage in the  
5 possession, procurement, transportation, storage, or  
6 delivery of anhydrous ammonia or to attempt to engage in  
7 any of these activities or to assist another in engaging in  
8 any of these activities with the intent that the anhydrous  
9 ammonia be used to manufacture methamphetamine.

10 (2) A person who violates paragraph (1) of this  
11 subsection (a) is guilty of a Class 1 felony.

12 (b) Aggravated possession, procurement, transportation,  
13 storage, or delivery of anhydrous ammonia with the intent that  
14 it be used to manufacture methamphetamine.

15 (1) It is unlawful to knowingly engage in the  
16 aggravated possession, procurement, transportation,  
17 storage, or delivery of anhydrous ammonia with the intent  
18 that it be used to manufacture methamphetamine. A person  
19 commits this offense when the person engages in the  
20 possession, procurement, transportation, storage, or  
21 delivery of anhydrous ammonia or attempts to engage in any  
22 of these activities or assists another in engaging in any  
23 of these activities with the intent that the anhydrous  
24 ammonia be used to manufacture methamphetamine and:

25 (A) the person knowingly does so in a multi-unit  
26 dwelling;

27 (B) the person knowingly does so in a structure or  
28 vehicle where a child under the age of 18, or a person  
29 with a disability, or a person who is 60 years of age  
30 or older who is incapable of adequately providing for  
31 his or her own health and personal care resides, is  
32 present, or is endangered by the anhydrous ammonia;

33 (C) the person's possession, procurement,  
34 transportation, storage, or delivery of anhydrous  
35 ammonia is a contributing cause of the death, serious  
36 bodily injury, disability, or disfigurement of another

1 person; or

2 (D) the person's possession, procurement,  
3 transportation, storage, or delivery of anhydrous  
4 ammonia is a contributing cause of a fire or explosion  
5 that damages property belonging to another person.

6 (2) A person who violates paragraph (1) of this  
7 subsection (b) is guilty of a Class X felony, subject to a  
8 term of imprisonment of not less than 6 years and not more  
9 than 30 years, and subject to a fine not to exceed  
10 \$100,000.

11 (c) Possession, procurement, transportation, storage, or  
12 delivery of anhydrous ammonia in an unauthorized container.

13 (1) It is unlawful to knowingly possess, procure,  
14 transport, store, or deliver anhydrous ammonia in an  
15 unauthorized container.

16 (2) A person who violates paragraph (1) of this  
17 subsection (c) is guilty of a Class 3 felony.

18 (3) Affirmative defense. It is an affirmative defense  
19 that the person charged possessed, procured, transported,  
20 stored, or delivered anhydrous ammonia in a manner that  
21 substantially complied with the rules governing anhydrous  
22 ammonia equipment found in 8 Illinois Administrative Code  
23 Section 215, in 92 Illinois Administrative Code Sections  
24 171 through 180, or in any provision of the Code of Federal  
25 Regulations incorporated by reference into these Sections  
26 of the Illinois Administrative Code.

27 (d) Tampering with anhydrous ammonia equipment.

28 (1) It is unlawful to knowingly tamper with anhydrous  
29 ammonia equipment. A person tampers with anhydrous ammonia  
30 equipment when, without authorization from the lawful  
31 owner, the person:

32 (A) removes or attempts to remove anhydrous  
33 ammonia from the anhydrous ammonia equipment used by  
34 the lawful owner;

35 (B) damages or attempts to damage the anhydrous  
36 ammonia equipment used by the lawful owner; or

1 (C) vents or attempts to vent anhydrous ammonia  
2 into the environment.

3 (2) A person who violates paragraph (1) of this  
4 subsection (d) is guilty of a Class 3 felony.

5 (Source: P.A. 94-556, eff. 9-11-05.)

6 (720 ILCS 646/30)

7 Sec. 30. Methamphetamine manufacturing material.

8 (a) It is unlawful to knowingly engage in the possession,  
9 procurement, transportation, storage, or delivery of any  
10 methamphetamine manufacturing material, other than a  
11 methamphetamine precursor, substance containing a  
12 methamphetamine precursor, or anhydrous ammonia, with the  
13 intent that it be used to manufacture methamphetamine.

14 (b) A person who violates subsection (a) of this Section is  
15 guilty of a Class 2 felony.

16 (Source: P.A. 94-556, eff. 9-11-05.)

17 (720 ILCS 646/45)

18 Sec. 45. Methamphetamine manufacturing waste.

19 (a) It is unlawful to knowingly burn, place in a trash  
20 receptacle, or dispose of methamphetamine manufacturing waste,  
21 knowing that the waste was used in the manufacturing of  
22 methamphetamine.

23 (b) A person who violates subsection (a) of this Section is  
24 guilty of a Class 2 felony.

25 (Source: P.A. 94-556, eff. 9-11-05.)

26 (720 ILCS 646/55)

27 Sec. 55. Methamphetamine delivery.

28 (a) Delivery or possession with intent to deliver  
29 methamphetamine or a substance containing methamphetamine.

30 (1) It is unlawful knowingly to engage in the delivery  
31 or possession with intent to deliver methamphetamine or a  
32 substance containing methamphetamine.

33 (2) A person who violates paragraph (1) of this

1 subsection (a) is subject to the following penalties:

2 (A) A person who delivers or possesses with intent  
3 to deliver less than 5 grams of methamphetamine or a  
4 substance containing methamphetamine is guilty of a  
5 Class 2 felony.

6 (B) A person who delivers or possesses with intent  
7 to deliver 5 or more grams but less than 15 grams of  
8 methamphetamine or a substance containing  
9 methamphetamine is guilty of a Class 1 felony.

10 (C) A person who delivers or possesses with intent  
11 to deliver 15 or more grams but less than 100 grams of  
12 methamphetamine or a substance containing  
13 methamphetamine is guilty of a Class X felony, subject  
14 to a term of imprisonment of not less than 6 years and  
15 not more than 30 years, and subject to a fine not to  
16 exceed \$100,000 or the street value of the  
17 methamphetamine, whichever is greater.

18 (D) A person who delivers or possesses with intent  
19 to deliver 100 or more grams but less than 400 grams of  
20 methamphetamine or a substance containing  
21 methamphetamine is guilty of a Class X felony, subject  
22 to a term of imprisonment of not less than 9 years and  
23 not more than 40 years, and subject to a fine not to  
24 exceed \$200,000 or the street value of the  
25 methamphetamine, whichever is greater.

26 (E) A person who delivers or possesses with intent  
27 to deliver 400 or more grams but less than 900 grams of  
28 methamphetamine or a substance containing  
29 methamphetamine is guilty of a Class X felony, subject  
30 to a term of imprisonment of not less than 12 years and  
31 not more than 50 years, and subject to a fine not to  
32 exceed \$300,000 or the street value of the  
33 methamphetamine, whichever is greater.

34 (F) A person who delivers or possesses with intent  
35 to deliver 900 or more grams of methamphetamine or a  
36 substance containing methamphetamine is guilty of a



1 Class X felony, subject to a term of imprisonment of  
2 not less than 15 years and not more than 60 years, and  
3 subject to a fine not to exceed \$400,000 or the street  
4 value of the methamphetamine, whichever is greater.

5 (b) Aggravated delivery or possession with intent to  
6 deliver methamphetamine or a substance containing  
7 methamphetamine.

8 (1) It is unlawful to engage in the aggravated delivery  
9 or possession with intent to deliver methamphetamine or a  
10 substance containing methamphetamine. A person engages in  
11 the aggravated delivery or possession with intent to  
12 deliver methamphetamine or a substance containing  
13 methamphetamine when the person violates paragraph (1) of  
14 subsection (a) of this Section and:

15 (A) the person is at least 18 years of age and  
16 knowingly delivers or possesses with intent to deliver  
17 the methamphetamine or substance containing  
18 methamphetamine to a person under 18 years of age;

19 (B) the person is at least 18 years of age and  
20 knowingly uses, engages, employs, or causes another  
21 person to use, engage, or employ a person under 18  
22 years of age to deliver the methamphetamine or  
23 substance containing methamphetamine;

24 (C) the person knowingly delivers or possesses  
25 with intent to deliver the methamphetamine or  
26 substance containing methamphetamine in any structure  
27 or vehicle protected by one or more firearms, explosive  
28 devices, booby traps, alarm systems, surveillance  
29 systems, guard dogs, or dangerous animals;

30 (D) the person knowingly delivers or possesses  
31 with intent to deliver the methamphetamine or  
32 substance containing methamphetamine in any school, on  
33 any real property comprising any school, or in any  
34 conveyance owned, leased, or contracted by a school to  
35 transport students to or from school or a  
36 school-related activity;

1 (E) the person delivers or causes another person to  
2 deliver the methamphetamine or substance containing  
3 methamphetamine to a woman that the person knows to be  
4 pregnant; or

5 (F) (blank) ~~the person knowingly brings or causes~~  
6 ~~another to bring the methamphetamine or substance~~  
7 ~~containing methamphetamine into Illinois from a~~  
8 ~~location outside of Illinois.~~

9 (2) A person who violates paragraph (1) of this  
10 subsection (b) is subject to the following penalties:

11 (A) A person who delivers or possesses with intent  
12 to deliver less than 5 grams of methamphetamine or a  
13 substance containing methamphetamine is guilty of a  
14 Class 1 felony.

15 (B) A person who delivers or possesses with intent  
16 to deliver 5 or more grams but less than 15 grams of  
17 methamphetamine or a substance containing  
18 methamphetamine is guilty of a Class X felony, subject  
19 to a term of imprisonment of not less than 6 years and  
20 not more than 30 years, and subject to a fine not to  
21 exceed \$100,000 or the street value of the  
22 methamphetamine, whichever is greater.

23 (C) A person who delivers or possesses with intent  
24 to deliver 15 or more grams but less than 100 grams of  
25 methamphetamine or a substance containing  
26 methamphetamine is guilty of a Class X felony, subject  
27 to a term of imprisonment of not less than 8 years and  
28 not more than 40 years, and subject to a fine not to  
29 exceed \$200,000 or the street value of the  
30 methamphetamine, whichever is greater.

31 (D) A person who delivers or possesses with intent  
32 to deliver 100 or more grams of methamphetamine or a  
33 substance containing methamphetamine is guilty of a  
34 Class X felony, subject to a term of imprisonment of  
35 not less than 10 years and not more than 50 years, and  
36 subject to a fine not to exceed \$300,000 or the street

1 value of the methamphetamine, whichever is greater.  
2 (Source: P.A. 94-556, eff. 9-11-05.)

3 (720 ILCS 646/56 new)

4 Sec. 56. Methamphetamine trafficking.

5 (a) Except for purposes as authorized by this Act, any  
6 person who knowingly brings, or causes to be brought, into this  
7 State methamphetamine, anhydrous ammonia, or a methamphetamine  
8 precursor for the purpose of manufacture or delivery of  
9 methamphetamine or with the intent to manufacture or deliver  
10 methamphetamine is guilty of methamphetamine trafficking.

11 (b) A person convicted of methamphetamine trafficking  
12 shall be sentenced to a term of imprisonment of not less than  
13 twice the minimum term and not more than twice the maximum term  
14 of imprisonment based upon the amount of methamphetamine  
15 brought or caused to be brought into this State, as provided in  
16 subsection (a) of Section 55 of this Act.

17 (c) A person convicted of methamphetamine trafficking  
18 based upon a methamphetamine precursor shall be sentenced to a  
19 term of imprisonment of not less than twice the minimum term  
20 and not more than twice the maximum term of imprisonment based  
21 upon the amount of methamphetamine precursor provided in  
22 subsection (a) or (b) of Section 20 of this Act brought or  
23 caused to be brought into this State.

24 (d) A person convicted of methamphetamine trafficking  
25 based upon anhydrous ammonia under paragraph (1) of subsection  
26 (a) of Section 25 of this Act shall be sentenced to a term of  
27 imprisonment of not less than twice the minimum term and not  
28 more than twice the maximum term of imprisonment provided in  
29 paragraph (1) of subsection (a) of Section 25 of this Act.

30 Section 10. The Methamphetamine Precursor Control Act is  
31 amended by changing Sections 5, 10, 15, 20, 25, and 35 and by  
32 adding Section 60 as follows:

33 (720 ILCS 648/5)

1           Sec. 5. Purpose. The purpose of this Act is to reduce the  
2 harm that methamphetamine manufacturing and manufacturers are  
3 inflicting on individuals, families, communities, first  
4 responders, the economy, and the environment in Illinois, by  
5 making it more difficult for persons engaged in the unlawful  
6 manufacture of methamphetamine and related activities to  
7 obtain methamphetamine's essential ingredient, ephedrine or  
8 pseudoephedrine. It is the intent of the General Assembly that  
9 this Act operate in tandem with and be interpreted as  
10 consistent with federal laws and regulations relating to the  
11 subject matter of this Act to the greatest extent possible.

12 (Source: P.A. 94-694, eff. 1-15-06.)

13 (720 ILCS 648/10)

14 Sec. 10. Definitions. In this Act:

15 "Administer" or "administration" has the meaning provided  
16 in Section 102 of the Illinois Controlled Substances Act.

17 "Agent" has the meaning provided in Section 102 of the  
18 Illinois Controlled Substances Act.

19 "Convenience package" means any package that contains 360  
20 milligrams or less of ephedrine or pseudoephedrine, their salts  
21 or optical isomers, or salts of optical isomers in liquid or  
22 liquid-filled capsule form.

23 "Deliver" has the meaning provided in Section 102 of the  
24 Illinois Controlled Substances Act.

25 "Dispense" has the meaning provided in Section 102 of the  
26 Illinois Controlled Substances Act.

27 "Distribute" has the meaning provided in Section 102 of the  
28 Illinois Controlled Substances Act.

29 "List I chemical" has the meaning provided in 21 U.S.C.  
30 Section 802.

31 "Methamphetamine precursor" has the meaning provided in  
32 Section 10 of the Methamphetamine Control and Community  
33 Protection Act.

34 "Package" means an item packaged and marked for retail sale  
35 that is not designed to be further broken down or subdivided

1 for the purpose of retail sale.

2 "Pharmacist" has the meaning provided in Section 102 of the  
3 Illinois Controlled Substances Act.

4 "Pharmacy" has the meaning provided in Section 102 of the  
5 Illinois Controlled Substances Act.

6 "Practitioner" has the meaning provided in Section 102 of  
7 the Illinois Controlled Substances Act.

8 "Prescriber" has the meaning provided in Section 102 of the  
9 Illinois Controlled Substances Act.

10 "Prescription" has the meaning provided in Section 102 of  
11 the Illinois Controlled Substances Act.

12 "Readily retrievable" has the meaning provided in 21 C.F.R.  
13 part 1300.

14 "Retail distributor" means a grocery store, general  
15 merchandise store, drug store, other merchandise store, or  
16 other entity or person whose activities as a distributor  
17 relating to drug products containing targeted methamphetamine  
18 precursor are limited exclusively or almost exclusively to  
19 sales for personal use by an ultimate user, both in number of  
20 sales and volume of sales, either directly to walk-in customers  
21 or in face-to-face transactions by direct sales.

22 "Sales employee" means any employee or agent, other than a  
23 pharmacist or pharmacy technician who works exclusively or  
24 almost exclusively behind a pharmacy counter, who at any time  
25 (a) operates a cash register at which targeted packages may be  
26 sold, (b) ~~works at or behind a pharmacy counter,~~ (c) stocks  
27 shelves containing targeted packages, or (c) ~~(d)~~ trains or  
28 supervises any other employee or agent who engages in any of  
29 the preceding activities.

30 "Single retail transaction" means a sale by a retail  
31 distributor to a specific customer at a specific time.

32 "Targeted methamphetamine precursor" means any compound,  
33 mixture, or preparation that contains any detectable quantity  
34 of ephedrine or pseudoephedrine, their salts or optical  
35 isomers, or salts of optical isomers.

36 "Targeted package" means a package, including a

1 convenience package, containing any amount of targeted  
2 methamphetamine precursor.

3 "Ultimate user" has the meaning provided in Section 102 of  
4 the Illinois Controlled Substances Act.

5 (Source: P.A. 94-694, eff. 1-15-06.)

6 (720 ILCS 648/15)

7 Sec. 15. Basic provisions.

8 (a) No targeted methamphetamine precursor shall be  
9 purchased, received, or otherwise acquired in any manner other  
10 than that described in Section 20 of this Act.

11 (b) No targeted methamphetamine precursor shall be  
12 knowingly administered, dispensed, or distributed for any  
13 purpose other than a medical purpose.

14 (c) No targeted methamphetamine precursor shall be  
15 knowingly administered, dispensed, or distributed for the  
16 purpose of violating or evading this Act, the Illinois  
17 Controlled Substances Act, or the Methamphetamine Control and  
18 Community Protection Act.

19 (d) No targeted methamphetamine precursor shall be  
20 administered, dispensed, or distributed with knowledge that it  
21 will be used to manufacture methamphetamine or with reckless  
22 disregard of its likely use to manufacture methamphetamine.

23 (e) No targeted methamphetamine precursor shall be  
24 administered, dispensed, or distributed except by:

25 (1) a pharmacist pursuant to the valid order of a  
26 prescriber;

27 (2) any other practitioner authorized to do so by the  
28 Illinois Controlled Substances Act;

29 (3) a drug abuse treatment program, pursuant to  
30 subsection (d) of Section 313 of the Illinois Controlled  
31 Substances Act;

32 (4) a pharmacy pursuant to Section 25 of this Act;

33 (5) a retail distributor pursuant to Sections 30 and 35  
34 of this Act; or

35 (6) a distributor authorized by the Drug Enforcement

1 Administration to distribute bulk quantities of a list I  
2 chemical under the federal Controlled Substances Act and  
3 corresponding regulations, or the employee or agent of such  
4 a distributor acting in the normal course of business.

5 (f) Notwithstanding any provision of this Act to the  
6 contrary, it is lawful for persons to provide small quantities  
7 of targeted methamphetamine precursors to immediate family or  
8 household members for legitimate medical purposes, and it is  
9 lawful for persons to receive small quantities of targeted  
10 methamphetamine precursors from immediate family or household  
11 members for legitimate medical purposes.

12 (Source: P.A. 94-694, eff. 1-15-06.)

13 (720 ILCS 648/20)

14 Sec. 20. Restrictions on purchase, receipt, or  
15 acquisition.

16 (a) Except as provided in subsection (e) of this Section,  
17 any person 18 years of age or older wishing to purchase,  
18 receive, or otherwise acquire a targeted methamphetamine  
19 precursor shall, prior to taking possession of the targeted  
20 methamphetamine precursor:

21 (1) provide a driver's license or other  
22 government-issued identification showing the person's  
23 name, date of birth, and photograph; and

24 (2) sign a log documenting the name and address of the  
25 person, date and time of the transaction, and brand and  
26 product name and total quantity distributed of ephedrine or  
27 pseudoephedrine, their salts, or optical isomers, or salts  
28 of optical isomers.

29 (b) Except as provided in subsection (e) of this Section,  
30 no person shall knowingly purchase, receive, or otherwise  
31 acquire, within any 30-day period products containing more than  
32 a total of 7,500 milligrams of ephedrine or pseudoephedrine,  
33 their salts or optical isomers, or salts of optical isomers.

34 (c) Except as provided in subsections (d) and (e) of this  
35 Section, no person shall knowingly purchase, receive, or

1 otherwise acquire more than 2 targeted packages in a single  
2 retail transaction.

3 (d) Except as provided in subsection (e) of this Section,  
4 no person shall knowingly purchase, receive, or otherwise  
5 acquire more than one convenience package from a retail  
6 location other than a pharmacy counter in a 24-hour period.

7 (e) This Section shall not apply to any person who  
8 purchases, receives, or otherwise acquires a targeted  
9 methamphetamine precursor for the purpose of dispensing,  
10 distributing, or administering it in a lawful manner described  
11 in subsection (e) of Section 15 of this Act.

12 (Source: P.A. 94-694, eff. 1-15-06.)

13 (720 ILCS 648/25)

14 Sec. 25. Pharmacies.

15 (a) No targeted methamphetamine precursor may be knowingly  
16 distributed through a pharmacy, including a pharmacy located  
17 within, owned by, operated by, or associated with a retail  
18 distributor unless all terms of this Section are satisfied.

19 (b) Any targeted methamphetamine precursor other than a  
20 convenience package or a liquid, including but not limited to  
21 any targeted methamphetamine precursor in liquid-filled  
22 capsules, ~~The targeted methamphetamine precursor~~ shall: ~~(1)~~ be  
23 packaged in blister packs, with each blister containing not  
24 more than 2 dosage units, or when the use of blister packs is  
25 technically infeasible, in unit dose packets. Each targeted  
26 package shall, ~~and (2)~~ contain no more than 3,000 milligrams of  
27 ephedrine or pseudoephedrine, their salts or optical isomers,  
28 or salts of optical isomers.

29 (c) The targeted methamphetamine precursor shall be stored  
30 behind the pharmacy counter and distributed by a pharmacist or  
31 pharmacy technician licensed under the Pharmacy Practice Act of  
32 1987.

33 (d) Any retail distributor operating a pharmacy, and any  
34 pharmacist or pharmacy technician involved in the transaction  
35 or transactions, shall ensure that any person purchasing,



1 receiving, or otherwise acquiring the targeted methamphetamine  
2 precursor complies with subsection (a) of Section 20 of this  
3 Act.

4 (e) Any retail distributor operating a pharmacy, and any  
5 pharmacist or pharmacy technician involved in the transaction  
6 or transactions, shall verify that:

7 (1) The person purchasing, receiving, or otherwise  
8 acquiring the targeted methamphetamine precursor is 18  
9 years of age or older and resembles the photograph of the  
10 person on the government-issued identification presented  
11 by the person; and

12 (2) The name entered into the log referred to in  
13 subsection (a) of Section 20 of this Act corresponds to the  
14 name on the government-issued identification presented by  
15 the person.

16 (f) The logs referred to in subsection (a) of Section 20 of  
17 this Act shall be kept confidential, maintained for not less  
18 than 2 years, and made available for inspection and copying by  
19 any law enforcement officer upon request of that officer. These  
20 logs may be kept in an electronic format if they include all  
21 the information specified in subsection (a) of Section 20 of  
22 this Act in a manner that is readily retrievable and  
23 reproducible in hard-copy format.

24 (g) No retail distributor operating a pharmacy, and no  
25 pharmacist or pharmacy technician, shall knowingly distribute  
26 any targeted methamphetamine precursor to any person under 18  
27 years of age.

28 ~~(h) No retail distributor operating a pharmacy, and no~~  
29 ~~pharmacist or pharmacy technician, shall knowingly distribute~~  
30 ~~to a single person in any 24 hour period more than one~~  
31 ~~convenience package.~~

32 ~~(i) Except as provided in subsection (h) of this Section,~~  
33 ~~no~~

34 (h) No retail distributor operating a pharmacy, and no  
35 pharmacist or pharmacy technician, shall knowingly distribute  
36 to a single person more than 2 targeted packages in a single

1 retail transaction.

2 (i) ~~(j)~~ No retail distributor operating a pharmacy, and no  
3 pharmacist or pharmacy technician, shall knowingly distribute  
4 to a single person in any 30-day period products containing  
5 more than a total of 7,500 milligrams of ephedrine or  
6 pseudoephedrine, their salts or optical isomers, or salts of  
7 optical isomers.

8 (j) A pharmacist or pharmacy technician may distribute a  
9 targeted methamphetamine precursor to a person who is without a  
10 form of identification specified in paragraph (1) of subsection  
11 (a) of Section 20 of this Act only if all other provisions of  
12 this Act are followed and either:

13 (1) the person presents a driver's license issued  
14 without a photograph by the State of Illinois pursuant to  
15 the Illinois Administrative Code, Title 92, Section  
16 1030.90(b)(1) or 1030.90(b)(2); or

17 (2) the person is known to the pharmacist or pharmacy  
18 technician, the person presents some form of  
19 identification, and the pharmacist or pharmacy technician  
20 reasonably believes that the targeted methamphetamine  
21 precursor will be used for a legitimate medical purpose and  
22 not to manufacture methamphetamine.

23 (k) When a pharmacist or pharmacy technician distributes a  
24 targeted methamphetamine precursor to a person according to the  
25 procedures set forth in this Act, and the pharmacist or  
26 pharmacy technician does not have access to a working cash  
27 register at the pharmacy counter, the pharmacist or pharmacy  
28 technician may instruct the person to pay for the targeted  
29 methamphetamine precursor at a cash register located elsewhere  
30 in the retail establishment, whether that register is operated  
31 by a pharmacist, pharmacy technician, or other employee or  
32 agent of the retail establishment.

33 (Source: P.A. 94-694, eff. 1-15-06.)

34 (720 ILCS 648/35)

35 Sec. 35. Retail distributors; training requirements.

1           (a) Every retail distributor of any targeted  
2 methamphetamine precursor shall train each sales employee on  
3 the topics listed on the certification form described in  
4 subsection (b) of this Section. This training may be conducted  
5 by a live trainer or by means of a computer-based training  
6 program. This training shall be completed within 30 days of the  
7 effective date of this Act or within 30 days of the date that  
8 each sales employee begins working for the retail distributor,  
9 whichever of these 2 dates comes later.

10           (b) Immediately after training each sales employee as  
11 required in subsection (a) of this Section, every retail  
12 distributor of any targeted methamphetamine precursor shall  
13 have each sales employee read, sign, and date a certification  
14 containing the following language:

15           (1) My name is (insert name of employee) and I am an  
16 employee of (insert name of business) at (insert street  
17 address).

18           (2) I understand that in Illinois there are laws  
19 governing the sale of certain over-the-counter medications  
20 that contain a chemical called ephedrine or a second  
21 chemical called pseudoephedrine. Medications that are  
22 subject to these laws are called "targeted methamphetamine  
23 precursors".

24           (3) I understand that "targeted methamphetamine  
25 precursors" can be used to manufacture the illegal and  
26 dangerous drug methamphetamine and that methamphetamine is  
27 causing great harm to individuals, families, communities,  
28 the economy, and the environment throughout Illinois.

29           (4) I understand that under Illinois law, unless they  
30 are at a pharmacy counter, customers can only purchase  
31 small "convenience packages" of "targeted methamphetamine  
32 precursors".

33           (5) I understand that under Illinois law, customers can  
34 only purchase these "convenience packages" if they are 18  
35 years of age or older, show identification, and sign a log  
36 according to procedures that have been described to me.

1 (6) I understand that under Illinois law, I cannot sell  
2 more than one "convenience package" to a single customer in  
3 one 24-hour period.

4 (7) I understand that under Illinois law, I cannot sell  
5 "targeted methamphetamine precursors" to a person if I know  
6 that the person is going to use them to make  
7 methamphetamine.

8 (8) I understand that there are a number of ingredients  
9 that are used to make the illegal drug methamphetamine,  
10 including "targeted methamphetamine precursors" sold in  
11 "convenience packages". My employer has shown me a list of  
12 these various ingredients, and I have reviewed the list.

13 (9) I understand that there are certain procedures that  
14 I should follow if I suspect that a store customer is  
15 purchasing "targeted methamphetamine precursors" or other  
16 products for the purpose of manufacturing methamphetamine.  
17 These procedures have been described to me, and I  
18 understand them.

19 (c) A certification form of the type described in  
20 subsection (b) of this Section may be signed with a handwritten  
21 signature or an electronic signature that includes a unique  
22 identifier for each employee. The certification shall be  
23 retained by the retail distributor for each sales employee for  
24 the duration of his or her employment and for at least 30 days  
25 following the end of his or her employment. Any such form shall  
26 be made available for inspection and copying by any law  
27 enforcement officer upon request of that officer. These records  
28 may be kept in electronic format if they include all the  
29 information specified in this Section in a manner that is  
30 readily retrievable and reproducible in hard-copy format.

31 (d) The Office of the Illinois Attorney General shall make  
32 available to retail distributors the list of methamphetamine  
33 ingredients referred to in subsection (b) of this Section.

34 (e) The training requirements set forth in this Section  
35 apply to the distribution of convenience packages away from  
36 pharmacy counters as set forth in Section 30 of this Act but do

1 not apply to the distribution of targeted methamphetamine  
2 precursors through a pharmacy as set forth in Section 25 of  
3 this Act.

4 (Source: P.A. 94-694, eff. 1-15-06.)

5 (720 ILCS 648/60 new)

6 Sec. 60. Severability. The provisions of this Act are  
7 severable under Section 1.31 of the Statute on Statutes.

8 Section 97. Severability. The provisions of this Act are  
9 severable under Section 1.31 of the Statute on Statutes.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.