



Sen. Pamela J. Althoff

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09900SB1047sam001

LRB099 05383 MJP 48702 a

1 AMENDMENT TO SENATE BILL 1047

2 AMENDMENT NO. _____. Amend Senate Bill 1047 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Safe Pharmaceutical Disposal Act is amended
5 by changing Section 17 as follows:

6 (210 ILCS 150/17)

7 Sec. 17. Pharmaceutical disposal. Notwithstanding any
8 provision of law, any city, village, or municipality may
9 authorize the use of its city hall or police department to
10 display a container suitable for use as a receptacle for used,
11 expired, or unwanted pharmaceuticals. These used, expired, or
12 unwanted pharmaceuticals may include unused medication and
13 prescription drugs, as well as controlled substances if
14 collected in accordance with federal law. This receptacle shall
15 only permit the deposit of items, and the contents shall be
16 locked and secured. The container shall be accessible to the

1 public and shall have posted clearly legible signage indicating
2 that expired or unwanted prescription drugs may be disposed of
3 in the receptacle. Pharmaceuticals disposed of under this Act
4 may be destroyed in a drug destruction device in accordance
5 with Section 22.58 of the Environmental Protection Act.

6 (Source: P.A. 99-480, eff. 9-9-15.)

7 Section 10. The Environmental Protection Act is amended by
8 changing Section 22.58 as follows:

9 (415 ILCS 5/22.58)

10 Sec. 22.58. Drug destruction by law enforcement agency.

11 (a) For purposes of this Section:

12 "Drug destruction device" means a device that is (i)
13 designed by its manufacturer to destroy drug evidence and
14 render it non-retrievable and (ii) used exclusively for that
15 purpose.

16 "Drug evidence" means any illegal drug collected as
17 evidence by a law enforcement agency or any used, expired, or
18 unwanted pharmaceuticals collected under the Safe
19 Pharmaceutical Disposal Act. "Drug evidence" does not include
20 hazardous waste.

21 "Illegal drug" means any one or more of the following when
22 obtained without a prescription or otherwise in violation of
23 the law:

24 (1) any substance as defined and included in the

1 Schedules of Article II of the Illinois Controlled
2 Substances Act;

3 (2) any cannabis as defined in Section 3 of the
4 Cannabis Control Act; or

5 (3) any drug as defined in paragraph (b) of Section 3
6 of the Pharmacy Practice Act.

7 "Law enforcement agency" means an agency of this State or
8 unit of local government that is vested by law or ordinance
9 with the duty to maintain public order and to enforce criminal
10 laws or ordinances.

11 "Non-retrievable" means the condition or state following a
12 process that permanently alters the ~~illegal~~ drug's physical or
13 chemical condition or state through irreversible means and
14 thereby renders the ~~illegal~~ drug unavailable and unusable for
15 all practical purposes.

16 (b) To the extent allowed under federal law, drug evidence
17 that is placed into a drug destruction device by a law
18 enforcement agency at the location where the evidence is stored
19 by the agency and that is destroyed under the supervision of
20 the agency in accordance with the specifications of the device
21 manufacturer shall not be considered discarded or a waste under
22 this Act until it is rendered non-retrievable.

23 (Source: P.A. 99-60, eff. 7-16-15.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."