



Sen. Kyle McCarter

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LRB099 05307 MRW 34368 a

1 AMENDMENT TO SENATE BILL 1129

2 AMENDMENT NO. _____. Amend Senate Bill 1129 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Controlled Substances Act is
5 amended by changing Sections 102, 204, 401, and 402 as follows:

6 (720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

7 Sec. 102. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 (a) "Addict" means any person who habitually uses any drug,
10 chemical, substance or dangerous drug other than alcohol so as
11 to endanger the public morals, health, safety or welfare or who
12 is so far addicted to the use of a dangerous drug or controlled
13 substance other than alcohol as to have lost the power of self
14 control with reference to his or her addiction.

15 (b) "Administer" means the direct application of a
16 controlled substance, whether by injection, inhalation,

1 ingestion, or any other means, to the body of a patient,
2 research subject, or animal (as defined by the Humane
3 Euthanasia in Animal Shelters Act) by:

4 (1) a practitioner (or, in his or her presence, by his
5 or her authorized agent),

6 (2) the patient or research subject pursuant to an
7 order, or

8 (3) a euthanasia technician as defined by the Humane
9 Euthanasia in Animal Shelters Act.

10 (c) "Agent" means an authorized person who acts on behalf
11 of or at the direction of a manufacturer, distributor,
12 dispenser, prescriber, or practitioner. It does not include a
13 common or contract carrier, public warehouseman or employee of
14 the carrier or warehouseman.

15 (c-1) "Anabolic Steroids" means any drug or hormonal
16 substance, chemically and pharmacologically related to
17 testosterone (other than estrogens, progestins,
18 corticosteroids, and dehydroepiandrosterone), and includes:

19 (i) 3[beta] ,17-dihydroxy-5a-androstane,

20 (ii) 3[alpha] ,17[beta] -dihydroxy-5a-androstane,

21 (iii) 5[alpha] -androstane-3,17-dione,

22 (iv) 1-androstenediol (3[beta] ,

23 17[beta] -dihydroxy-5[alpha] -androst-1-ene),

24 (v) 1-androstenediol (3[alpha] ,

25 17[beta] -dihydroxy-5[alpha] -androst-1-ene),

26 (vi) 4-androstenediol

1 (3[beta] ,17[beta] -dihydroxy-androst-4-ene) ,
2 (vii) 5-androstenediol
3 (3[beta] ,17[beta] -dihydroxy-androst-5-ene) ,
4 (viii) 1-androstenedione
5 ([5alpha] -androst-1-en-3,17-dione) ,
6 (ix) 4-androstenedione
7 (androst-4-en-3,17-dione) ,
8 (x) 5-androstenedione
9 (androst-5-en-3,17-dione) ,
10 (xi) bolasterone (7[alpha] ,17a-dimethyl-17[beta] -
11 hydroxyandrost-4-en-3-one) ,
12 (xii) boldenone (17[beta] -hydroxyandrost-
13 1,4,-diene-3-one) ,
14 (xiii) boldione (androsta-1,4-
15 diene-3,17-dione) ,
16 (xiv) calusterone (7[beta] ,17[alpha] -dimethyl-17
17 [beta] -hydroxyandrost-4-en-3-one) ,
18 (xv) clostebol (4-chloro-17[beta] -
19 hydroxyandrost-4-en-3-one) ,
20 (xvi) dehydrochloromethyltestosterone (4-chloro-
21 17[beta] -hydroxy-17[alpha] -methyl-
22 androst-1,4-dien-3-one) ,
23 (xvii) desoxymethyltestosterone
24 (17[alpha] -methyl-5[alpha]
25 -androst-2-en-17[beta] -ol) (a.k.a., madol) ,
26 (xviii) [delta] 1-dihydrotestosterone (a.k.a.

1 '1-testosterone') (17[beta] -hydroxy-
2 5[alpha] -androst-1-en-3-one) ,
3 (xix) 4-dihydrotestosterone (17[beta] -hydroxy-
4 androstan-3-one) ,
5 (xx) drostanolone (17[beta] -hydroxy-2[alpha] -methyl-
6 5[alpha] -androstan-3-one) ,
7 (xxi) ethylestrenol (17[alpha] -ethyl-17[beta] -
8 hydroxyestr-4-ene) ,
9 (xxii) fluoxymesterone (9-fluoro-17[alpha] -methyl-
10 1[beta] ,17[beta] -dihydroxyandrost-4-en-3-one) ,
11 (xxiii) formebolone (2-formyl-17[alpha] -methyl-11[alpha] ,
12 17[beta] -dihydroxyandrost-1,4-dien-3-one) ,
13 (xxiv) furazabol (17[alpha] -methyl-17[beta] -
14 hydroxyandrostan[2,3-c] -furan) ,
15 (xxv) 13[beta] -ethyl-17[beta] -hydroxygon-4-en-3-one)
16 (xxvi) 4-hydroxytestosterone (4,17[beta] -dihydroxy-
17 androst-4-en-3-one) ,
18 (xxvii) 4-hydroxy-19-nortestosterone (4,17[beta] -
19 dihydroxy-estr-4-en-3-one) ,
20 (xxviii) mestanolone (17[alpha] -methyl-17[beta] -
21 hydroxy-5-androstan-3-one) ,
22 (xxix) mesterolone (1methyl-17[beta] -hydroxy-
23 [5a] -androstan-3-one) ,
24 (xxx) methandienone (17[alpha] -methyl-17[beta] -
25 hydroxyandrost-1,4-dien-3-one) ,
26 (xxxii) methandriol (17[alpha] -methyl-3[beta] ,17[beta] -

1 dihydroxyandrost-5-ene),
2 (xxxii) methenolone (1-methyl-17[beta] -hydroxy-
3 5[alpha] -androst-1-en-3-one),
4 (xxxiii) 17[alpha] -methyl-3[beta] , 17[beta] -
5 dihydroxy-5a-androstane),
6 (xxxiv) 17[alpha] -methyl-3[alpha] ,17[beta] -dihydroxy
7 -5a-androstane),
8 (xxxv) 17[alpha] -methyl-3[beta] ,17[beta] -
9 dihydroxyandrost-4-ene),
10 (xxxvi) 17[alpha] -methyl-4-hydroxynandrolone (17[alpha] -
11 methyl-4-hydroxy-17[beta] -hydroxyestr-4-en-3-one),
12 (xxxvii) methyldienolone (17[alpha] -methyl-17[beta] -
13 hydroxyestra-4,9(10)-dien-3-one),
14 (xxxviii) methyltrienolone (17[alpha] -methyl-17[beta] -
15 hydroxyestra-4,9-11-trien-3-one),
16 (xxxix) methyltestosterone (17[alpha] -methyl-17[beta] -
17 hydroxyandrost-4-en-3-one),
18 (xl) mibolerone (7[alpha] ,17a-dimethyl-17[beta] -
19 hydroxyestr-4-en-3-one),
20 (xli) 17[alpha] -methyl-[delta] 1-dihydrotestosterone
21 (17b[beta] -hydroxy-17[alpha] -methyl-5[alpha] -
22 androst-1-en-3-one) (a.k.a. '17-[alpha] -methyl-
23 1-testosterone'),
24 (xlii) nandrolone (17[beta] -hydroxyestr-4-en-3-one),
25 (xliiii) 19-nor-4-androstenediol (3[beta] , 17[beta] -
26 dihydroxyestr-4-ene),

- 1 (xliv) 19-nor-4-androstenediol (3[alpha] , 17[beta] -
2 dihydroxyestr-4-ene) ,
3 (xlv) 19-nor-5-androstenediol (3[beta] , 17[beta] -
4 dihydroxyestr-5-ene) ,
5 (xlvi) 19-nor-5-androstenediol (3[alpha] , 17[beta] -
6 dihydroxyestr-5-ene) ,
7 (xlvii) 19-nor-4,9(10)-androstadienedione
8 (estra-4,9(10)-diene-3,17-dione) ,
9 (xlviii) 19-nor-4-androstenedione (estr-4-
10 en-3,17-dione) ,
11 (xlix) 19-nor-5-androstenedione (estr-5-
12 en-3,17-dione) ,
13 (l) norbolethone (13[beta] , 17a-diethyl-17[beta] -
14 hydroxygon-4-en-3-one) ,
15 (li) norclostebol (4-chloro-17[beta] -
16 hydroxyestr-4-en-3-one) ,
17 (lii) norethandrolone (17[alpha] -ethyl-17[beta] -
18 hydroxyestr-4-en-3-one) ,
19 (liii) normethandrolone (17[alpha] -methyl-17[beta] -
20 hydroxyestr-4-en-3-one) ,
21 (liv) oxandrolone (17[alpha] -methyl-17[beta] -hydroxy-
22 2-oxa-5[alpha] -androstan-3-one) ,
23 (lv) oxymesterone (17[alpha] -methyl-4,17[beta] -
24 dihydroxyandrost-4-en-3-one) ,
25 (lvi) oxymetholone (17[alpha] -methyl-2-hydroxymethylene-
26 17[beta] -hydroxy- (5[alpha] -androstan-3-one) ,

- 1 (lvii) stanozolol (17[alpha] -methyl-17[beta] -hydroxy-
2 (5[alpha] -androst-2-eno[3,2-c] -pyrazole),
3 (lviii) stenbolone (17[beta] -hydroxy-2-methyl-
4 (5[alpha] -androst-1-en-3-one),
5 (lix) testolactone (13-hydroxy-3-oxo-13,17-
6 secoandrosta-1,4-dien-17-oic
7 acid lactone),
8 (lx) testosterone (17[beta] -hydroxyandrost-
9 4-en-3-one),
10 (lxi) tetrahydrogestrinone (13[beta] , 17[alpha] -
11 diethyl-17[beta] -hydroxygon-
12 4,9,11-trien-3-one),
13 (lxii) trenbolone (17[beta] -hydroxyestr-4,9,
14 11-trien-3-one).

15 Any person who is otherwise lawfully in possession of an
16 anabolic steroid, or who otherwise lawfully manufactures,
17 distributes, dispenses, delivers, or possesses with intent to
18 deliver an anabolic steroid, which anabolic steroid is
19 expressly intended for and lawfully allowed to be administered
20 through implants to livestock or other nonhuman species, and
21 which is approved by the Secretary of Health and Human Services
22 for such administration, and which the person intends to
23 administer or have administered through such implants, shall
24 not be considered to be in unauthorized possession or to
25 unlawfully manufacture, distribute, dispense, deliver, or
26 possess with intent to deliver such anabolic steroid for

1 purposes of this Act.

2 (d) "Administration" means the Drug Enforcement
3 Administration, United States Department of Justice, or its
4 successor agency.

5 (d-5) "Clinical Director, Prescription Monitoring Program"
6 means a Department of Human Services administrative employee
7 licensed to either prescribe or dispense controlled substances
8 who shall run the clinical aspects of the Department of Human
9 Services Prescription Monitoring Program and its Prescription
10 Information Library.

11 (d-10) "Compounding" means the preparation and mixing of
12 components, excluding flavorings, (1) as the result of a
13 prescriber's prescription drug order or initiative based on the
14 prescriber-patient-pharmacist relationship in the course of
15 professional practice or (2) for the purpose of, or incident
16 to, research, teaching, or chemical analysis and not for sale
17 or dispensing. "Compounding" includes the preparation of drugs
18 or devices in anticipation of receiving prescription drug
19 orders based on routine, regularly observed dispensing
20 patterns. Commercially available products may be compounded
21 for dispensing to individual patients only if both of the
22 following conditions are met: (i) the commercial product is not
23 reasonably available from normal distribution channels in a
24 timely manner to meet the patient's needs and (ii) the
25 prescribing practitioner has requested that the drug be
26 compounded.

1 (e) "Control" means to add a drug or other substance, or
2 immediate precursor, to a Schedule whether by transfer from
3 another Schedule or otherwise.

4 (f) "Controlled Substance" means (i) a drug, substance, ~~or~~
5 immediate precursor, or synthetic drug in the Schedules of
6 Article II of this Act or (ii) a drug or other substance, or
7 immediate precursor, designated as a controlled substance by
8 the Department through administrative rule. The term does not
9 include distilled spirits, wine, malt beverages, or tobacco, as
10 those terms are defined or used in the Liquor Control Act of
11 1934 and the Tobacco Products Tax Act of 1995.

12 (f-5) "Controlled substance analog" means a substance:

13 (1) the chemical structure of which is substantially
14 similar to the chemical structure of a controlled substance
15 in Schedule I or II;

16 (2) which has a stimulant, depressant, or
17 hallucinogenic effect on the central nervous system that is
18 substantially similar to or greater than the stimulant,
19 depressant, or hallucinogenic effect on the central
20 nervous system of a controlled substance in Schedule I or
21 II; or

22 (3) with respect to a particular person, which such
23 person represents or intends to have a stimulant,
24 depressant, or hallucinogenic effect on the central
25 nervous system that is substantially similar to or greater
26 than the stimulant, depressant, or hallucinogenic effect

1 on the central nervous system of a controlled substance in
2 Schedule I or II.

3 (g) "Counterfeit substance" means a controlled substance,
4 which, or the container or labeling of which, without
5 authorization bears the trademark, trade name, or other
6 identifying mark, imprint, number or device, or any likeness
7 thereof, of a manufacturer, distributor, or dispenser other
8 than the person who in fact manufactured, distributed, or
9 dispensed the substance.

10 (h) "Deliver" or "delivery" means the actual, constructive
11 or attempted transfer of possession of a controlled substance,
12 with or without consideration, whether or not there is an
13 agency relationship.

14 (i) "Department" means the Illinois Department of Human
15 Services (as successor to the Department of Alcoholism and
16 Substance Abuse) or its successor agency.

17 (j) (Blank).

18 (k) "Department of Corrections" means the Department of
19 Corrections of the State of Illinois or its successor agency.

20 (l) "Department of Financial and Professional Regulation"
21 means the Department of Financial and Professional Regulation
22 of the State of Illinois or its successor agency.

23 (m) "Depressant" means any drug that (i) causes an overall
24 depression of central nervous system functions, (ii) causes
25 impaired consciousness and awareness, and (iii) can be
26 habit-forming or lead to a substance abuse problem, including

1 but not limited to alcohol, cannabis and its active principles
2 and their analogs, benzodiazepines and their analogs,
3 barbiturates and their analogs, opioids (natural and
4 synthetic) and their analogs, and chloral hydrate and similar
5 sedative hypnotics.

6 (n) (Blank).

7 (o) "Director" means the Director of the Illinois State
8 Police or his or her designated agents.

9 (p) "Dispense" means to deliver a controlled substance to
10 an ultimate user or research subject by or pursuant to the
11 lawful order of a prescriber, including the prescribing,
12 administering, packaging, labeling, or compounding necessary
13 to prepare the substance for that delivery.

14 (q) "Dispenser" means a practitioner who dispenses.

15 (r) "Distribute" means to deliver, other than by
16 administering or dispensing, a controlled substance.

17 (s) "Distributor" means a person who distributes.

18 (t) "Drug" means (1) substances recognized as drugs in the
19 official United States Pharmacopoeia, Official Homeopathic
20 Pharmacopoeia of the United States, or official National
21 Formulary, or any supplement to any of them; (2) substances
22 intended for use in diagnosis, cure, mitigation, treatment, or
23 prevention of disease in man or animals; (3) substances (other
24 than food) intended to affect the structure of any function of
25 the body of man or animals and (4) substances intended for use
26 as a component of any article specified in clause (1), (2), or

1 (3) of this subsection. It does not include devices or their
2 components, parts, or accessories.

3 (t-5) "Euthanasia agency" means an entity certified by the
4 Department of Financial and Professional Regulation for the
5 purpose of animal euthanasia that holds an animal control
6 facility license or animal shelter license under the Animal
7 Welfare Act. A euthanasia agency is authorized to purchase,
8 store, possess, and utilize Schedule II nonnarcotic and
9 Schedule III nonnarcotic drugs for the sole purpose of animal
10 euthanasia.

11 (t-10) "Euthanasia drugs" means Schedule II or Schedule III
12 substances (nonnarcotic controlled substances) that are used
13 by a euthanasia agency for the purpose of animal euthanasia.

14 (u) "Good faith" means the prescribing or dispensing of a
15 controlled substance by a practitioner in the regular course of
16 professional treatment to or for any person who is under his or
17 her treatment for a pathology or condition other than that
18 individual's physical or psychological dependence upon or
19 addiction to a controlled substance, except as provided herein:
20 and application of the term to a pharmacist shall mean the
21 dispensing of a controlled substance pursuant to the
22 prescriber's order which in the professional judgment of the
23 pharmacist is lawful. The pharmacist shall be guided by
24 accepted professional standards including, but not limited to
25 the following, in making the judgment:

26 (1) lack of consistency of prescriber-patient

1 relationship,

2 (2) frequency of prescriptions for same drug by one
3 prescriber for large numbers of patients,

4 (3) quantities beyond those normally prescribed,

5 (4) unusual dosages (recognizing that there may be
6 clinical circumstances where more or less than the usual
7 dose may be used legitimately),

8 (5) unusual geographic distances between patient,
9 pharmacist and prescriber,

10 (6) consistent prescribing of habit-forming drugs.

11 (u-0.5) "Hallucinogen" means a drug that causes markedly
12 altered sensory perception leading to hallucinations of any
13 type.

14 (u-1) "Home infusion services" means services provided by a
15 pharmacy in compounding solutions for direct administration to
16 a patient in a private residence, long-term care facility, or
17 hospice setting by means of parenteral, intravenous,
18 intramuscular, subcutaneous, or intraspinal infusion.

19 (u-5) "Illinois State Police" means the State Police of the
20 State of Illinois, or its successor agency.

21 (v) "Immediate precursor" means a substance:

22 (1) which the Department has found to be and by rule
23 designated as being a principal compound used, or produced
24 primarily for use, in the manufacture of a controlled
25 substance;

26 (2) which is an immediate chemical intermediary used or

1 likely to be used in the manufacture of such controlled
2 substance; and

3 (3) the control of which is necessary to prevent,
4 curtail or limit the manufacture of such controlled
5 substance.

6 (w) "Instructional activities" means the acts of teaching,
7 educating or instructing by practitioners using controlled
8 substances within educational facilities approved by the State
9 Board of Education or its successor agency.

10 (x) "Local authorities" means a duly organized State,
11 County or Municipal peace unit or police force.

12 (y) "Look-alike substance" means a substance, other than a
13 controlled substance which (1) by overall dosage unit
14 appearance, including shape, color, size, markings or lack
15 thereof, taste, consistency, or any other identifying physical
16 characteristic of the substance, would lead a reasonable person
17 to believe that the substance is a controlled substance, or (2)
18 is expressly or impliedly represented to be a controlled
19 substance or is distributed under circumstances which would
20 lead a reasonable person to believe that the substance is a
21 controlled substance. For the purpose of determining whether
22 the representations made or the circumstances of the
23 distribution would lead a reasonable person to believe the
24 substance to be a controlled substance under this clause (2) of
25 subsection (y), the court or other authority may consider the
26 following factors in addition to any other factor that may be

1 relevant:

2 (a) statements made by the owner or person in control
3 of the substance concerning its nature, use or effect;

4 (b) statements made to the buyer or recipient that the
5 substance may be resold for profit;

6 (c) whether the substance is packaged in a manner
7 normally used for the illegal distribution of controlled
8 substances;

9 (d) whether the distribution or attempted distribution
10 included an exchange of or demand for money or other
11 property as consideration, and whether the amount of the
12 consideration was substantially greater than the
13 reasonable retail market value of the substance.

14 Clause (1) of this subsection (y) shall not apply to a
15 noncontrolled substance in its finished dosage form that was
16 initially introduced into commerce prior to the initial
17 introduction into commerce of a controlled substance in its
18 finished dosage form which it may substantially resemble.

19 Nothing in this subsection (y) prohibits the dispensing or
20 distributing of noncontrolled substances by persons authorized
21 to dispense and distribute controlled substances under this
22 Act, provided that such action would be deemed to be carried
23 out in good faith under subsection (u) if the substances
24 involved were controlled substances.

25 Nothing in this subsection (y) or in this Act prohibits the
26 manufacture, preparation, propagation, compounding,

1 processing, packaging, advertising or distribution of a drug or
2 drugs by any person registered pursuant to Section 510 of the
3 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

4 (y-1) "Mail-order pharmacy" means a pharmacy that is
5 located in a state of the United States that delivers,
6 dispenses or distributes, through the United States Postal
7 Service or other common carrier, to Illinois residents, any
8 substance which requires a prescription.

9 (z) "Manufacture" means the production, preparation,
10 propagation, compounding, conversion or processing of a
11 controlled substance other than methamphetamine, either
12 directly or indirectly, by extraction from substances of
13 natural origin, or independently by means of chemical
14 synthesis, or by a combination of extraction and chemical
15 synthesis, and includes any packaging or repackaging of the
16 substance or labeling of its container, except that this term
17 does not include:

18 (1) by an ultimate user, the preparation or compounding
19 of a controlled substance for his or her own use; or

20 (2) by a practitioner, or his or her authorized agent
21 under his or her supervision, the preparation,
22 compounding, packaging, or labeling of a controlled
23 substance:

24 (a) as an incident to his or her administering or
25 dispensing of a controlled substance in the course of
26 his or her professional practice; or

1 (b) as an incident to lawful research, teaching or
2 chemical analysis and not for sale.

3 (z-1) (Blank).

4 (z-5) "Medication shopping" means the conduct prohibited
5 under subsection (a) of Section 314.5 of this Act.

6 (z-10) "Mid-level practitioner" means (i) a physician
7 assistant who has been delegated authority to prescribe through
8 a written delegation of authority by a physician licensed to
9 practice medicine in all of its branches, in accordance with
10 Section 7.5 of the Physician Assistant Practice Act of 1987,
11 (ii) an advanced practice nurse who has been delegated
12 authority to prescribe through a written delegation of
13 authority by a physician licensed to practice medicine in all
14 of its branches or by a podiatric physician, in accordance with
15 Section 65-40 of the Nurse Practice Act, (iii) an animal
16 euthanasia agency, or (iv) a prescribing psychologist.

17 (aa) "Narcotic drug" means any of the following, whether
18 produced directly or indirectly by extraction from substances
19 of vegetable origin, or independently by means of chemical
20 synthesis, or by a combination of extraction and chemical
21 synthesis:

22 (1) opium, opiates, derivatives of opium and opiates,
23 including their isomers, esters, ethers, salts, and salts
24 of isomers, esters, and ethers, whenever the existence of
25 such isomers, esters, ethers, and salts is possible within
26 the specific chemical designation; however the term

1 "narcotic drug" does not include the isoquinoline
2 alkaloids of opium;

3 (2) (blank);

4 (3) opium poppy and poppy straw;

5 (4) coca leaves, except coca leaves and extracts of
6 coca leaves from which substantially all of the cocaine and
7 ecgonine, and their isomers, derivatives and salts, have
8 been removed;

9 (5) cocaine, its salts, optical and geometric isomers,
10 and salts of isomers;

11 (6) ecgonine, its derivatives, their salts, isomers,
12 and salts of isomers;

13 (7) any compound, mixture, or preparation which
14 contains any quantity of any of the substances referred to
15 in subparagraphs (1) through (6).

16 (bb) "Nurse" means a registered nurse licensed under the
17 Nurse Practice Act.

18 (cc) (Blank).

19 (dd) "Opiate" means any substance having an addiction
20 forming or addiction sustaining liability similar to morphine
21 or being capable of conversion into a drug having addiction
22 forming or addiction sustaining liability.

23 (ee) "Opium poppy" means the plant of the species *Papaver*
24 *somniferum* L., except its seeds.

25 (ee-5) "Oral dosage" means a tablet, capsule, elixir, or
26 solution or other liquid form of medication intended for

1 administration by mouth, but the term does not include a form
2 of medication intended for buccal, sublingual, or transmucosal
3 administration.

4 (ff) "Parole and Pardon Board" means the Parole and Pardon
5 Board of the State of Illinois or its successor agency.

6 (gg) "Person" means any individual, corporation,
7 mail-order pharmacy, government or governmental subdivision or
8 agency, business trust, estate, trust, partnership or
9 association, or any other entity.

10 (hh) "Pharmacist" means any person who holds a license or
11 certificate of registration as a registered pharmacist, a local
12 registered pharmacist or a registered assistant pharmacist
13 under the Pharmacy Practice Act.

14 (ii) "Pharmacy" means any store, ship or other place in
15 which pharmacy is authorized to be practiced under the Pharmacy
16 Practice Act.

17 (ii-5) "Pharmacy shopping" means the conduct prohibited
18 under subsection (b) of Section 314.5 of this Act.

19 (ii-10) "Physician" (except when the context otherwise
20 requires) means a person licensed to practice medicine in all
21 of its branches.

22 (jj) "Poppy straw" means all parts, except the seeds, of
23 the opium poppy, after mowing.

24 (kk) "Practitioner" means a physician licensed to practice
25 medicine in all its branches, dentist, optometrist, podiatric
26 physician, veterinarian, scientific investigator, pharmacist,

1 physician assistant, advanced practice nurse, licensed
2 practical nurse, registered nurse, hospital, laboratory, or
3 pharmacy, or other person licensed, registered, or otherwise
4 lawfully permitted by the United States or this State to
5 distribute, dispense, conduct research with respect to,
6 administer or use in teaching or chemical analysis, a
7 controlled substance in the course of professional practice or
8 research.

9 (ll) "Pre-printed prescription" means a written
10 prescription upon which the designated drug has been indicated
11 prior to the time of issuance; the term does not mean a written
12 prescription that is individually generated by machine or
13 computer in the prescriber's office.

14 (mm) "Prescriber" means a physician licensed to practice
15 medicine in all its branches, dentist, optometrist,
16 prescribing psychologist licensed under Section 4.2 of the
17 Clinical Psychologist Licensing Act with prescriptive
18 authority delegated under Section 4.3 of the Clinical
19 Psychologist Licensing Act, podiatric physician, or
20 veterinarian who issues a prescription, a physician assistant
21 who issues a prescription for a controlled substance in
22 accordance with Section 303.05, a written delegation, and a
23 written supervision agreement required under Section 7.5 of the
24 Physician Assistant Practice Act of 1987, or an advanced
25 practice nurse with prescriptive authority delegated under
26 Section 65-40 of the Nurse Practice Act and in accordance with

1 Section 303.05, a written delegation, and a written
2 collaborative agreement under Section 65-35 of the Nurse
3 Practice Act.

4 (nn) "Prescription" means a written, facsimile, or oral
5 order, or an electronic order that complies with applicable
6 federal requirements, of a physician licensed to practice
7 medicine in all its branches, dentist, podiatric physician or
8 veterinarian for any controlled substance, of an optometrist
9 for a Schedule II, III, IV, or V controlled substance in
10 accordance with Section 15.1 of the Illinois Optometric
11 Practice Act of 1987, of a prescribing psychologist licensed
12 under Section 4.2 of the Clinical Psychologist Licensing Act
13 with prescriptive authority delegated under Section 4.3 of the
14 Clinical Psychologist Licensing Act, of a physician assistant
15 for a controlled substance in accordance with Section 303.05, a
16 written delegation, and a written supervision agreement
17 required under Section 7.5 of the Physician Assistant Practice
18 Act of 1987, or of an advanced practice nurse with prescriptive
19 authority delegated under Section 65-40 of the Nurse Practice
20 Act who issues a prescription for a controlled substance in
21 accordance with Section 303.05, a written delegation, and a
22 written collaborative agreement under Section 65-35 of the
23 Nurse Practice Act when required by law.

24 (nn-5) "Prescription Information Library" (PIL) means an
25 electronic library that contains reported controlled substance
26 data.

1 (nn-10) "Prescription Monitoring Program" (PMP) means the
2 entity that collects, tracks, and stores reported data on
3 controlled substances and select drugs pursuant to Section 316.

4 (oo) "Production" or "produce" means manufacture,
5 planting, cultivating, growing, or harvesting of a controlled
6 substance other than methamphetamine.

7 (pp) "Registrant" means every person who is required to
8 register under Section 302 of this Act.

9 (qq) "Registry number" means the number assigned to each
10 person authorized to handle controlled substances under the
11 laws of the United States and of this State.

12 (qq-5) "Secretary" means, as the context requires, either
13 the Secretary of the Department or the Secretary of the
14 Department of Financial and Professional Regulation, and the
15 Secretary's designated agents.

16 (rr) "State" includes the State of Illinois and any state,
17 district, commonwealth, territory, insular possession thereof,
18 and any area subject to the legal authority of the United
19 States of America.

20 (rr-5) "Stimulant" means any drug that (i) causes an
21 overall excitation of central nervous system functions, (ii)
22 causes impaired consciousness and awareness, and (iii) can be
23 habit-forming or lead to a substance abuse problem, including
24 but not limited to amphetamines and their analogs,
25 methylphenidate and its analogs, cocaine, and phencyclidine
26 and its analogs.

1 (ss) "Ultimate user" means a person who lawfully possesses
2 a controlled substance for his or her own use or for the use of
3 a member of his or her household or for administering to an
4 animal owned by him or her or by a member of his or her
5 household.

6 (Source: P.A. 97-334, eff. 1-1-12; 98-214, eff. 8-9-13; 98-668,
7 eff. 6-25-14; 98-756, eff. 7-16-14; 98-1111, eff. 8-26-14;
8 revised 10-1-14.)

9 (720 ILCS 570/204) (from Ch. 56 1/2, par. 1204)

10 Sec. 204. (a) The controlled substances listed in this
11 Section are included in Schedule I.

12 (b) Unless specifically excepted or unless listed in
13 another schedule, any of the following opiates, including their
14 isomers, esters, ethers, salts, and salts of isomers, esters,
15 and ethers, whenever the existence of such isomers, esters,
16 ethers and salts is possible within the specific chemical
17 designation:

18 (1) Acetylmethadol;

19 (1.1) Acetyl-alpha-methylfentanyl

20 (N-[1-(1-methyl-2-phenethyl)-
21 4-piperidinyl] -N-phenylacetamide);

22 (2) Allylprodine;

23 (3) Alphacetylmethadol, except
24 levo-alphacetylmethadol (also known as levo-alpha-
25 acetylmethadol, levomethadyl acetate, or LAAM);

- 1 (4) Alphameprodine;
- 2 (5) Alphamethadol;
- 3 (6) Alpha-methylfentanyl
- 4 (N-(1-alpha-methyl-beta-phenyl) ethyl-4-piperidyl)
- 5 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-
- 6 propanilido) piperidine;
- 7 (6.1) Alpha-methylthiofentanyl
- 8 (N-[1-methyl-2-(2-thienyl)ethyl-
- 9 4-piperidinyl]-N-phenylpropanamide);
- 10 (7) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP);
- 11 (7.1) PEPAP
- 12 (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 13 (8) Benzethidine;
- 14 (9) Betacetylmethadol;
- 15 (9.1) Beta-hydroxyfentanyl
- 16 (N-[1-(2-hydroxy-2-phenethyl)-
- 17 4-piperidinyl]-N-phenylpropanamide);
- 18 (10) Betameprodine;
- 19 (11) Betamethadol;
- 20 (12) Betaprodine;
- 21 (13) Clonitazene;
- 22 (14) Dextromoramide;
- 23 (15) Diampromide;
- 24 (16) Diethylthiambutene;
- 25 (17) Difenoazin;
- 26 (18) Dimenoxadol;

- 1 (19) Dimepheptanol;
- 2 (20) Dimethylthiambutene;
- 3 (21) Dioxaphetylbutyrate;
- 4 (22) Dipipanone;
- 5 (23) Ethylmethylthiambutene;
- 6 (24) Etonitazene;
- 7 (25) Etoxeridine;
- 8 (26) Furethidine;
- 9 (27) Hydroxypethidine;
- 10 (28) Ketobemidone;
- 11 (29) Levomoramide;
- 12 (30) Levophenacylmorphane;
- 13 (31) 3-Methylfentanyl
- 14 (N-[3-methyl-1-(2-phenylethyl)-
- 15 4-piperidyl] -N-phenylpropanamide);
- 16 (31.1) 3-Methylthiofentanyl
- 17 (N-[(3-methyl-1-(2-thienyl)ethyl-
- 18 4-piperidinyl] -N-phenylpropanamide);
- 19 (32) Morpheridine;
- 20 (33) Noracymethadol;
- 21 (34) Norlevorphanol;
- 22 (35) Normethadone;
- 23 (36) Norpipanone;
- 24 (36.1) Para-fluorofentanyl
- 25 (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-
- 26 4-piperidinyl] propanamide);

- 1 (37) Phenadoxone;
- 2 (38) Phenampromide;
- 3 (39) Phenomorphan;
- 4 (40) Phenoperidine;
- 5 (41) Piritramide;
- 6 (42) Proheptazine;
- 7 (43) Properidine;
- 8 (44) Propiram;
- 9 (45) Racemoramide;
- 10 (45.1) Thiofentanyl
- 11 (N-phenyl-N-[1-(2-thienyl)ethyl-
- 12 4-piperidinyl] -propanamide);
- 13 (46) Tilidine;
- 14 (47) Trimeperidine;
- 15 (48) Beta-hydroxy-3-methylfentanyl (other name:
- 16 N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl] -
- 17 N-phenylpropanamide).

18 (c) Unless specifically excepted or unless listed in

19 another schedule, any of the following opium derivatives, its

20 salts, isomers and salts of isomers, whenever the existence of

21 such salts, isomers and salts of isomers is possible within the

22 specific chemical designation:

- 23 (1) Acetorphine;
- 24 (2) Acetyldihydrocodeine;
- 25 (3) Benzylmorphine;
- 26 (4) Codeine methylbromide;

- 1 (5) Codeine-N-Oxide;
- 2 (6) Cyprenorphine;
- 3 (7) Desomorphine;
- 4 (8) Diacetyldihydromorphine (Dihydroheroin);
- 5 (9) Dihydromorphine;
- 6 (10) Drotebanol;
- 7 (11) Etorphine (except hydrochloride salt);
- 8 (12) Heroin;
- 9 (13) Hydromorphenol;
- 10 (14) Methyldesorphine;
- 11 (15) Methyldihydromorphine;
- 12 (16) Morphine methylbromide;
- 13 (17) Morphine methylsulfonate;
- 14 (18) Morphine-N-Oxide;
- 15 (19) Myrophine;
- 16 (20) Nicocodeine;
- 17 (21) Nicomorphine;
- 18 (22) Normorphine;
- 19 (23) Pholcodine;
- 20 (24) Thebacon.

21 (d) Unless specifically excepted or unless listed in
22 another schedule, any material, compound, mixture, or
23 preparation which contains any quantity of the following
24 hallucinogenic substances, or which contains any of its salts,
25 isomers and salts of isomers, whenever the existence of such
26 salts, isomers, and salts of isomers is possible within the

1 specific chemical designation (for the purposes of this
2 paragraph only, the term "isomer" includes the optical,
3 position and geometric isomers):

4 (1) 3,4-methylenedioxyamphetamine

5 (alpha-methyl,3,4-methylenedioxyphenethylamine,
6 methylenedioxyamphetamine, MDA);

7 (1.1) Alpha-ethyltryptamine

8 (some trade or other names: etryptamine;
9 MONASE; alpha-ethyl-1H-indole-3-ethanamine;
10 3-(2-aminobutyl)indole; a-ET; and AET);

11 (2) 3,4-methylenedioxymethamphetamine (MDMA);

12 (2.1) 3,4-methylenedioxy-N-ethylamphetamine

13 (also known as: N-ethyl-alpha-methyl-
14 3,4(methylenedioxy) Phenethylamine, N-ethyl MDA, MDE,
15 and MDEA);

16 (2.2) N-Benzylpiperazine (BZP);

17 (2.2-1) Trifluoromethylphenylpiperazine (TFMPP);

18 (3) 3-methoxy-4,5-methylenedioxyamphetamine, (MMDA);

19 (4) 3,4,5-trimethoxyamphetamine (TMA);

20 (5) (Blank);

21 (6) Diethyltryptamine (DET);

22 (7) Dimethyltryptamine (DMT);

23 (7.1) 5-Methoxy-diallyltryptamine;

24 (8) 4-methyl-2,5-dimethoxyamphetamine (DOM, STP);

25 (9) Ibogaine (some trade and other names:

26 7-ethyl-6,6,beta,7,8,9,10,12,13-octahydro-2-methoxy-

1 6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b]

2 indole; Tabernanthe iboga);

3 (10) Lysergic acid diethylamide;

4 (10.1) Salvinorin A;

5 (10.5) Salvia divinorum (meaning all parts of the plant
6 presently classified botanically as Salvia divinorum,
7 whether growing or not, the seeds thereof, any extract from
8 any part of that plant, and every compound, manufacture,
9 salts, isomers, and salts of isomers whenever the existence
10 of such salts, isomers, and salts of isomers is possible
11 within the specific chemical designation, derivative,
12 mixture, or preparation of that plant, its seeds or
13 extracts);

14 (11) 3,4,5-trimethoxyphenethylamine (Mescaline);

15 (12) Peyote (meaning all parts of the plant presently
16 classified botanically as Lophophora williamsii Lemaire,
17 whether growing or not, the seeds thereof, any extract from
18 any part of that plant, and every compound, manufacture,
19 salts, derivative, mixture, or preparation of that plant,
20 its seeds or extracts);

21 (13) N-ethyl-3-piperidyl benzilate (JB 318);

22 (14) N-methyl-3-piperidyl benzilate;

23 (14.1) N-hydroxy-3,4-methylenedioxyamphetamine
24 (also known as N-hydroxy-alpha-methyl-
25 3,4(methylenedioxy)phenethylamine and N-hydroxy MDA);

26 (15) Parahexyl; some trade or other names:

1 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-
2 dibenzo (b,d) pyran; Synhexyl;

3 (16) Psilocybin;

4 (17) Psilocyn;

5 (18) Alpha-methyltryptamine (AMT);

6 (19) 2,5-dimethoxyamphetamine

7 (2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);

8 (20) 4-bromo-2,5-dimethoxyamphetamine

9 (4-bromo-2,5-dimethoxy-alpha-methylphenethylamine;

10 4-bromo-2,5-DMA);

11 (20.1) 4-Bromo-2,5 dimethoxyphenethylamine.

12 Some trade or other names: 2-(4-bromo-

13 2,5-dimethoxyphenyl)-1-aminoethane;

14 alpha-desmethyl DOB, 2CB, Nexus;

15 (21) 4-methoxyamphetamine

16 (4-methoxy-alpha-methylphenethylamine;

17 paramethoxyamphetamine; PMA);

18 (22) (Blank);

19 (23) Ethylamine analog of phencyclidine.

20 Some trade or other names:

21 N-ethyl-1-phenylcyclohexylamine,

22 (1-phenylcyclohexyl) ethylamine,

23 N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE;

24 (24) Pyrrolidine analog of phencyclidine. Some trade

25 or other names: 1-(1-phenylcyclohexyl) pyrrolidine, PCPy,

26 PHP;

1 (25) 5-methoxy-3,4-methylenedioxy-amphetamine;

2 (26) 2,5-dimethoxy-4-ethylamphetamine

3 (another name: DOET);

4 (27) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine

5 (another name: TCPy);

6 (28) (Blank);

7 (29) Thiophene analog of phencyclidine (some trade
8 or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine;

9 2-thienyl analog of phencyclidine; TPCP; TCP);

10 (30) Bufotenine (some trade or other names:

11 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole;

12 3-(2-dimethylaminoethyl)-5-indolol;

13 5-hydroxy-N,N-dimethyltryptamine;

14 N,N-dimethylserotonin; mappine);

15 (31) 1-Pentyl-3-(1-naphthoyl)indole

16 Some trade or other names: JWH-018;

17 (32) 1-Butyl-3-(1-naphthoyl)indole

18 Some trade or other names: JWH-073;

19 (33) 1-[(5-fluoropentyl)-1H-indol-3-yl] -

20 (2-iodophenyl)methanone

21 Some trade or other names: AM-694;

22 (34) 2-[(1R,3S)-3-hydroxycyclohexyl] -5-

23 (2-methyloctan-2-yl)phenol

24 Some trade or other names: CP 47,497

25 and its C6, C8 and C9 homologs;

26 (34.5) 2-[(1R,3S)-3-hydroxycyclohexyl] -5-

1 (2-methyloctan-2-yl)phenol), where side chain n=5;
2 and homologues where side chain n=4, 6, or 7; Some
3 trade or other names: CP 47,497;

4 (35) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
5 (2-methyloctan-2-yl)-6a,7,
6 10,10a-tetrahydrobenzo[c] chromen-1-ol

7 Some trade or other names: HU-210;

8 (35.5) (6aS,10aS)-9-(hydroxymethyl)-6,6-
9 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
10 tetrahydrobenzo[c] chromen-1-ol, its isomers,
11 salts, and salts of isomers; Some trade or other
12 names: HU-210, Dexanabinol;

13 (36) Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-
14 6,6-dimethyl-3-(2-methyloctan-2-yl)-
15 6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol

16 Some trade or other names: HU-211;

17 (37) (2-methyl-1-propyl-1H-indol-
18 3-yl)-1-naphthalenyl-methanone

19 Some trade or other names: JWH-015;

20 (38) 4-methoxynaphthalen-1-yl-
21 (1-pentylindol-3-yl)methanone

22 Some trade or other names: JWH-081;

23 (39) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole

24 Some trade or other names: JWH-122;

25 (40) 2-(2-methylphenyl)-1-(1-pentyl-
26 1H-indol-3-yl)-ethanone

1 Some trade or other names: JWH-251;

2 (41) 1-(2-cyclohexylethyl)-3-

3 (2-methoxyphenylacetyl)indole

4 Some trade or other names: RCS-8, BTW-8 and SR-18;

5 (42) Any compound structurally derived from

6 3-(1-naphthoyl)indole or 1H-indol-3-yl-

7 (1-naphthyl)methane by substitution at the

8 nitrogen atom of the indole ring by alkyl, haloalkyl,

9 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl halide,

10 alkyl aryl halide, 1-(N-methyl-2-piperidinyl)methyl,

11 or 2-(4-morpholinyl)ethyl whether or not further

12 substituted in the indole ring to any extent, whether

13 or not substituted in the naphthyl ring to any extent.

14 Examples of this structural class include, but are

15 not limited to, JWH-018, AM-2201, JWH-175, JWH-184,

16 and JWH-185;

17 (43) Any compound structurally derived from

18 3-(1-naphthoyl)pyrrole by substitution at the nitrogen

19 atom of the pyrrole ring by alkyl, haloalkyl, alkenyl,

20 cycloalkylmethyl, cycloalkylethyl, aryl halide, alkyl

21 aryl halide, 1-(N-methyl-2-piperidinyl)methyl,

22 or 2-(4-morpholinyl)ethyl, whether or not further

23 substituted in the pyrrole ring to any extent, whether

24 or not substituted in the naphthyl ring to any extent.

25 Examples of this structural class include, but are not

26 limited to, JWH-030, JWH-145, JWH-146, JWH-307, and

1 JWH-368;

2 (44) Any compound structurally derived from
3 1-(1-naphthylmethyl)indene by substitution
4 at the 3-position of the indene ring by alkyl, haloalkyl,
5 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
6 halide, alkyl aryl halide, 1-(N-methyl-
7 2-piperidinyl)methyl, or 2-(4-
8 morpholinyl)ethyl whether or not further substituted in
9 the indene ring to any extent, whether or not substituted
10 in the naphthyl ring to any extent. Examples of
11 this structural class include, but are not
12 limited to, JWH-176;

13 (45) Any compound structurally derived from
14 3-phenylacetylindole by substitution at the
15 nitrogen atom of the indole ring with alkyl, haloalkyl,
16 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
17 halide, alkyl aryl halide, 1-(N-methyl-2-
18 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
19 whether or not further substituted in the indole ring
20 to any extent, whether or not substituted in the phenyl
21 ring to any extent. Examples of this structural
22 class include, but are not limited to, JWH-167,
23 JWH-250, JWH-251, and RCS-8;

24 (46) Any compound structurally derived from
25 2-(3-hydroxycyclohexyl)phenol by substitution
26 at the 5-position of the phenolic ring by alkyl,

1 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
2 aryl halide, alkyl aryl halide, 1-(N-methyl-2-
3 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
4 whether or not substituted in the cyclohexyl ring to any
5 extent. Examples of this structural class
6 include, but are not limited to, CP 47,
7 497 and its C8 homologue (cannabicyclohexanol);

8 (46.1) Benzoylindoles: Any compound
9 containing a 3-(benzoyl) indole structure with
10 substitution at the nitrogen atom of the
11 indole ring by an alkyl, haloalkyl, alkenyl,
12 cycloalkylmethyl, cycloalkylethyl,
13 1-(N-methyl-2-piperidinyl)methyl,
14 or 2-(4-morpholinyl)ethyl group
15 whether or not further substituted
16 in the indole ring to any extent and
17 whether or not substituted in the phenyl ring
18 to any extent. Examples of this structural class
19 include, but are not limited, to AM-630,
20 AM-2233, AM-694, Pravadoline (WIN 48,098), and RCS-4;

21 (47) 3,4-Methylenedioxymethcathinone

22 Some trade or other names: Methylone;

23 (48) 3,4-Methyenedioxypyrovalerone

24 Some trade or other names: MDPV;

25 (49) 4-Methylmethcathinone

26 Some trade or other names: Mephedrone;

1 (50) 4-methoxymethcathinone;

2 (51) 4-Fluoromethcathinone;

3 (52) 3-Fluoromethcathinone;

4 (53) 2,5-Dimethoxy-4-(n)-propylthio-
5 phenethylamine;

6 (54) 5-Methoxy-N,N-diisopropyltryptamine;

7 (55) Pentedrone;

8 (56) 4-iodo-2,5-dimethoxy-N-((2-methoxy
9 phenyl)methyl)-benzeneethanamine
10 (trade or other name: 25I-NBOMe);

11 (57) 4-chloro-2,5-dimethoxy-N-[(2-methoxyphenyl)
12 methyl]-benzeneethanamine (trade or other name:
13 25C-NBOMe);

14 (58) 4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)
15 methyl]-benzeneethanamine (trade or other name:
16 25B-NBOMe);

17 (59) 3-cyclopropoylindole with
18 substitution at the nitrogen atom of the
19 indole ring by alkyl, haloalkyl, alkenyl,
20 cycloalkylmethyl, cycloalkylethyl, aryl
21 halide, alkyl aryl halide,
22 1-(N-methyl-2-piperidinyl)methyl, or
23 2-(4-morpholinyl)ethyl, whether or not
24 further substituted on the indole ring
25 to any extent, whether or not substituted
26 on the cyclopropyl ring to any extent:

1 including but not limited to XLR11,
2 UR144, FUB-144;

3 (60) 3-adamantoylindole with
4 substitution at the nitrogen atom of the
5 indole ring by alkyl, haloalkyl, alkenyl,
6 cycloalkylmethyl, cycloalkylethyl,
7 aryl halide, alkyl aryl halide,
8 1-(N-methyl-2-piperidinyl)methyl, or
9 2-(4-morpholinyl)ethyl, whether or not
10 further substituted on the indole ring to
11 any extent, whether or not substituted on
12 the adamantyl ring to any extent: including
13 but not limited to AB-001;

14 (61) N-(adamantyl)-indole-3-carboxamide
15 with substitution at the nitrogen atom of the
16 indole ring by alkyl, haloalkyl, alkenyl,
17 cycloalkylmethyl, cycloalkylethyl, aryl halide,
18 alkyl aryl halide, 1-(N-methyl-2-piperidinyl)methyl,
19 or 2-(4-morpholinyl)ethyl, whether or not further
20 substituted on the indole ring to any extent, whether
21 or not substituted on the adamantyl ring to any
22 extent: including but not limited to
23 APICA/2NE-1, STS-135;

24 (62) N-(adamantyl)-indazole-3-carboxamide
25 with substitution at a nitrogen atom of the indazole
26 ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,

1 cycloalkylethyl, aryl halide, alkyl aryl halide,
2 1-(N-methyl-2-piperidinyl)methyl, or
3 2-(4-morpholinyl)ethyl, whether or not further
4 substituted on the indazole ring to any extent,
5 whether or not substituted on the adamantyl
6 ring to any extent: including but not limited
7 to AKB48, 5F-AKB48;

8 (63) 1H-indole-3-carboxylic acid 8-quinolinyl
9 ester with substitution at the nitrogen atom of the
10 indole ring by alkyl, haloalkyl, alkenyl,
11 cycloalkylmethyl, cycloalkylethyl, aryl halide, alkyl
12 aryl halide, 1-(N-methyl-2-piperidinyl)methyl, or
13 2-(4-morpholinyl)ethyl, whether or not further
14 substituted on the indole ring to any extent,
15 whether or not substituted on the quinoline ring
16 to any extent: including but not limited to PB22,
17 5F-PB22, FUB-PB-22;

18 (64) 3-(1-naphthoyl)indazole with
19 substitution at the nitrogen atom of the
20 indazole ring by alkyl, haloalkyl,
21 alkenyl, cycloalkylmethyl, cycloalkylethyl,
22 aryl halide, alkyl aryl halide,
23 1-(N-methyl-2-piperidinyl)methyl, or
24 2-(4-morpholinyl)ethyl, whether or not further
25 substituted on the indazole ring to any extent,
26 whether or not substituted on the naphthyl ring

1 to any extent: including but not limited to

2 THJ-018, THJ-2201;

3 (65) 2-(1-naphthoyl)benzimidazole with
4 substitution at the nitrogen atom of the benzimidazole
5 ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl,
6 cycloalkylethyl, aryl halide, alkyl aryl halide,
7 1-(N-methyl-2-piperidinyl)methyl, or
8 2-(4-morpholinyl)ethyl, whether or not further
9 substituted on the benzimidazole ring to any extent,
10 whether or not substituted on the naphthyl ring to
11 any extent: including, but not limited to FUBIMINA;

12 (66) N-(1-amino-3-methyl-1-oxobutan-2-yl)
13 -1H-indazole-3-carboxamide with substitution on the
14 nitrogen atom of the indazole ring by alkyl,
15 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
16 aryl halide, alkyl aryl halide, 1-(N-methyl-2-
17 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
18 whether or not further substituted on the indazole
19 ring to any extent: including but not limited to
20 AB-PINACA, AB-FUBINACA, AB-CHMINACA;

21 (67) N-(1-amino-3,3-dimethyl-1-oxobutan-
22 2-yl)-1H-indazole-3-carboxamide with substitution
23 on the nitrogen atom of the indazole ring by alkyl,
24 haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
25 aryl halide, alkyl aryl halide, 1-(N-methyl-2-
26 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, whether

1 or not further substituted on the indazole ring to any
2 extent: including but not limited to ADB-PINACA,
3 ADB-FUBINACA;

4 (68) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-
5 1H-indole-3-carboxamide with substitution on the nitrogen
6 atom of the indole ring by alkyl, haloalkyl, alkenyl,
7 cycloalkylmethyl, cycloalkylethyl, aryl halide, alkyl
8 aryl halide, 1-(N-methyl-2-piperidinyl)methyl, or
9 2-(4-morpholinyl)ethyl, whether or not further
10 substituted on the indole ring to any extent:
11 including but not limited to ADBICA, 5F-ADBICA;

12 (69) N-(1-amino-3-methyl-1-oxobutan-2-yl)-
13 1H-indole-3-carboxamide with substitution on the
14 nitrogen atom of the indole ring by alkyl, haloalkyl,
15 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
16 halide, alkyl aryl halide, 1-(N-methyl-2-
17 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,
18 whether or not further substituted on the indole
19 ring to any extent: including but not limited
20 to ABICA, 5F-ABICA;

21 (70) Methyl 2-(1H-indazole-3-carboxamido)-
22 3-methylbutanoate with substitution on the nitrogen
23 atom of the indazole ring by alkyl, haloalkyl,
24 alkenyl, cycloalkylmethyl, cycloalkylethyl, aryl
25 halide, alkyl aryl halide, 1-(N-methyl-2-
26 piperidinyl)methyl, or 2-(4-morpholinyl)ethyl,

1 whether or not further substituted on the indazole
2 ring to any extent: including but not limited to AMB,
3 5F-AMB.

4 (e) Unless specifically excepted or unless listed in
5 another schedule, any material, compound, mixture, or
6 preparation which contains any quantity of the following
7 substances having a depressant effect on the central nervous
8 system, including its salts, isomers, and salts of isomers
9 whenever the existence of such salts, isomers, and salts of
10 isomers is possible within the specific chemical designation:

- 11 (1) mecloqualone;
- 12 (2) methaqualone; and
- 13 (3) gamma hydroxybutyric acid.

14 (f) Unless specifically excepted or unless listed in
15 another schedule, any material, compound, mixture, or
16 preparation which contains any quantity of the following
17 substances having a stimulant effect on the central nervous
18 system, including its salts, isomers, and salts of isomers:

- 19 (1) Fenethylline;
- 20 (2) N-ethylamphetamine;
- 21 (3) Aminorex (some other names:

22 2-amino-5-phenyl-2-oxazoline; aminoxaphen;
23 4-5-dihydro-5-phenyl-2-oxazolamine) and its
24 salts, optical isomers, and salts of optical isomers;

- 25 (4) Methcathinone (some other names:

26 2-methylamino-1-phenylpropan-1-one;

1 Ephedrone; 2-(methylamino)-propiofenone;
2 alpha-(methylamino)propiofenone; N-methylcathinone;
3 methycathinone; Monomethylpropion; UR 1431) and its
4 salts, optical isomers, and salts of optical isomers;

5 (5) Cathinone (some trade or other names:
6 2-aminopropiofenone; alpha-aminopropiofenone;
7 2-amino-1-phenyl-propanone; norephedrone);

8 (6) N,N-dimethylamphetamine (also known as:
9 N,N-alpha-trimethyl-benzeneethanamine;
10 N,N-alpha-trimethylphenethylamine);

11 (7) (+ or -) cis-4-methylaminorex ((+ or -) cis-
12 4,5-dihydro-4-methyl-4-5-phenyl-2-oxazolamine);

13 (8) 3,4-Methylenedioxypropiofenone (MDPV).

14 (g) Temporary listing of substances subject to emergency
15 scheduling. Any material, compound, mixture, or preparation
16 that contains any quantity of the following substances:

17 (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
18 (benzylfentanyl), its optical isomers, isomers, salts,
19 and salts of isomers;

20 (2) N-[1(2-thienyl)
21 methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl),
22 its optical isomers, salts, and salts of isomers.

23 (h) Synthetic cathinones. Unless specifically excepted,
24 any chemical compound not including bupropion, structurally
25 derived from 2-aminopropan-1-one by substitution at the
26 1-position with either phenyl, naphthyl, or thiophene ring

1 systems, whether or not the compound is further modified in one
2 or more of the following ways:

3 (1) by substitution in the ring system to
4 any extent with alkyl, alkylenedioxy, alkoxy,
5 haloalkyl, hydroxyl, or halide substituents, whether
6 or not further substituted in the ring system
7 by one or more other univalent substituents.
8 Examples of this class include, but are not
9 limited to, 3,4-Methylenedioxycathinone
10 (bk-MDA);

11 (2) by substitution at the 3-position
12 with an acyclic alkyl substituent. Examples of
13 this class include, but are not limited to,
14 2-methylamino-1-phenylbutan-1-one
15 (buphedrone); or

16 (3) by substitution at the 2-amino nitrogen
17 atom with alkyl, dialkyl, benzyl, or methoxybenzyl
18 groups, or by inclusion of the 2-amino nitrogen atom
19 in a cyclic structure. Examples of this class include,
20 but are not limited to, Dimethylcathinone, Ethcathinone,
21 and a-Pyrrolidinopropiophenone (a-PPP).

22 (Source: P.A. 97-192, eff. 7-22-11; 97-193, eff. 1-1-12;
23 97-194, eff. 7-22-11; 97-334, eff. 1-1-12; 97-813, eff.
24 7-13-12; 97-872, eff. 7-31-12; 98-987, eff. 1-1-15.)

25 (720 ILCS 570/401) (from Ch. 56 1/2, par. 1401)

1 Sec. 401. Except as authorized by this Act, it is unlawful
2 for any person knowingly to manufacture or deliver, or possess
3 with intent to manufacture or deliver, a controlled substance
4 other than methamphetamine, a counterfeit substance, or a
5 controlled substance analog. A violation of this Act with
6 respect to each of the controlled substances listed herein
7 constitutes a single and separate violation of this Act. For
8 purposes of this Section, "controlled substance analog" or
9 "analog" means a substance ~~which is intended for human~~
10 ~~consumption~~, other than a controlled substance, that has a
11 chemical structure substantially similar to that of a
12 controlled substance in Schedule I or II, or that was
13 specifically designed to produce an effect substantially
14 similar to that of a controlled substance in Schedule I or II.
15 Examples of chemical classes in which controlled substance
16 analogs are found include, but are not limited to, the
17 following: phenethylamines, N-substituted piperidines,
18 morphinans, ecgonines, quinazolinones, substituted indoles,
19 and arylcycloalkylamines. For purposes of this Act, a
20 controlled substance analog shall be treated in the same manner
21 as the controlled substance to which it is substantially
22 similar.

23 (a) Any person who violates this Section with respect to
24 the following amounts of controlled or counterfeit substances
25 or controlled substance analogs, notwithstanding any of the
26 provisions of subsections (c), (d), (e), (f), (g) or (h) to the

1 contrary, is guilty of a Class X felony and shall be sentenced
2 to a term of imprisonment as provided in this subsection (a)
3 and fined as provided in subsection (b):

4 (1) (A) not less than 6 years and not more than 30
5 years with respect to 15 grams or more but less than
6 100 grams of a substance containing heroin, or an
7 analog thereof;

8 (B) not less than 9 years and not more than 40
9 years with respect to 100 grams or more but less than
10 400 grams of a substance containing heroin, or an
11 analog thereof;

12 (C) not less than 12 years and not more than 50
13 years with respect to 400 grams or more but less than
14 900 grams of a substance containing heroin, or an
15 analog thereof;

16 (D) not less than 15 years and not more than 60
17 years with respect to 900 grams or more of any
18 substance containing heroin, or an analog thereof;

19 (1.5) (A) not less than 6 years and not more than 30
20 years with respect to 15 grams or more but less than
21 100 grams of a substance containing fentanyl, or an
22 analog thereof;

23 (B) not less than 9 years and not more than 40
24 years with respect to 100 grams or more but less than
25 400 grams of a substance containing fentanyl, or an
26 analog thereof;

1 (C) not less than 12 years and not more than 50
2 years with respect to 400 grams or more but less than
3 900 grams of a substance containing fentanyl, or an
4 analog thereof;

5 (D) not less than 15 years and not more than 60
6 years with respect to 900 grams or more of a substance
7 containing fentanyl, or an analog thereof;

8 (2) (A) not less than 6 years and not more than 30
9 years with respect to 15 grams or more but less than
10 100 grams of a substance containing cocaine, or an
11 analog thereof;

12 (B) not less than 9 years and not more than 40
13 years with respect to 100 grams or more but less than
14 400 grams of a substance containing cocaine, or an
15 analog thereof;

16 (C) not less than 12 years and not more than 50
17 years with respect to 400 grams or more but less than
18 900 grams of a substance containing cocaine, or an
19 analog thereof;

20 (D) not less than 15 years and not more than 60
21 years with respect to 900 grams or more of any
22 substance containing cocaine, or an analog thereof;

23 (3) (A) not less than 6 years and not more than 30
24 years with respect to 15 grams or more but less than
25 100 grams of a substance containing morphine, or an
26 analog thereof;

1 (B) not less than 9 years and not more than 40
2 years with respect to 100 grams or more but less than
3 400 grams of a substance containing morphine, or an
4 analog thereof;

5 (C) not less than 12 years and not more than 50
6 years with respect to 400 grams or more but less than
7 900 grams of a substance containing morphine, or an
8 analog thereof;

9 (D) not less than 15 years and not more than 60
10 years with respect to 900 grams or more of a substance
11 containing morphine, or an analog thereof;

12 (4) 200 grams or more of any substance containing
13 peyote, or an analog thereof;

14 (5) 200 grams or more of any substance containing a
15 derivative of barbituric acid or any of the salts of a
16 derivative of barbituric acid, or an analog thereof;

17 (6) 200 grams or more of any substance containing
18 amphetamine or any salt of an optical isomer of
19 amphetamine, or an analog thereof;

20 (6.5) (blank);

21 (6.6) (blank);

22 (7) (A) not less than 6 years and not more than 30
23 years with respect to: (i) 15 grams or more but less
24 than 100 grams of a substance containing lysergic acid
25 diethylamide (LSD), or an analog thereof, or (ii) 15 or
26 more objects or 15 or more segregated parts of an

1 object or objects but less than 200 objects or 200
2 segregated parts of an object or objects containing in
3 them or having upon them any amounts of any substance
4 containing lysergic acid diethylamide (LSD), or an
5 analog thereof;

6 (B) not less than 9 years and not more than 40
7 years with respect to: (i) 100 grams or more but less
8 than 400 grams of a substance containing lysergic acid
9 diethylamide (LSD), or an analog thereof, or (ii) 200
10 or more objects or 200 or more segregated parts of an
11 object or objects but less than 600 objects or less
12 than 600 segregated parts of an object or objects
13 containing in them or having upon them any amount of
14 any substance containing lysergic acid diethylamide
15 (LSD), or an analog thereof;

16 (C) not less than 12 years and not more than 50
17 years with respect to: (i) 400 grams or more but less
18 than 900 grams of a substance containing lysergic acid
19 diethylamide (LSD), or an analog thereof, or (ii) 600
20 or more objects or 600 or more segregated parts of an
21 object or objects but less than 1500 objects or 1500
22 segregated parts of an object or objects containing in
23 them or having upon them any amount of any substance
24 containing lysergic acid diethylamide (LSD), or an
25 analog thereof;

26 (D) not less than 15 years and not more than 60

1 years with respect to: (i) 900 grams or more of any
2 substance containing lysergic acid diethylamide (LSD),
3 or an analog thereof, or (ii) 1500 or more objects or
4 1500 or more segregated parts of an object or objects
5 containing in them or having upon them any amount of a
6 substance containing lysergic acid diethylamide (LSD),
7 or an analog thereof;

8 (7.5) (A) not less than 6 years and not more than 30
9 years with respect to: (i) 15 grams or more but less
10 than 100 grams of a substance listed in paragraph (1),
11 (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
12 (21), (25), or (26) of subsection (d) of Section 204,
13 or an analog or derivative thereof, or (ii) 15 or more
14 pills, tablets, caplets, capsules, or objects but less
15 than 200 pills, tablets, caplets, capsules, or objects
16 containing in them or having upon them any amounts of
17 any substance listed in paragraph (1), (2), (2.1),
18 (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or
19 (26) of subsection (d) of Section 204, or an analog or
20 derivative thereof;

21 (B) not less than 9 years and not more than 40
22 years with respect to: (i) 100 grams or more but less
23 than 400 grams of a substance listed in paragraph (1),
24 (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
25 (21), (25), or (26) of subsection (d) of Section 204,
26 or an analog or derivative thereof, or (ii) 200 or more

1 pills, tablets, caplets, capsules, or objects but less
2 than 600 pills, tablets, caplets, capsules, or objects
3 containing in them or having upon them any amount of
4 any substance listed in paragraph (1), (2), (2.1),
5 (2.2), (3), (14.1), (19), (20), (20.1), (21), (25), or
6 (26) of subsection (d) of Section 204, or an analog or
7 derivative thereof;

8 (C) not less than 12 years and not more than 50
9 years with respect to: (i) 400 grams or more but less
10 than 900 grams of a substance listed in paragraph (1),
11 (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
12 (21), (25), or (26) of subsection (d) of Section 204,
13 or an analog or derivative thereof, or (ii) 600 or more
14 pills, tablets, caplets, capsules, or objects but less
15 than 1,500 pills, tablets, caplets, capsules, or
16 objects containing in them or having upon them any
17 amount of any substance listed in paragraph (1), (2),
18 (2.1), (2.2), (3), (14.1), (19), (20), (20.1), (21),
19 (25), or (26) of subsection (d) of Section 204, or an
20 analog or derivative thereof;

21 (D) not less than 15 years and not more than 60
22 years with respect to: (i) 900 grams or more of any
23 substance listed in paragraph (1), (2), (2.1), (2.2),
24 (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of
25 subsection (d) of Section 204, or an analog or
26 derivative thereof, or (ii) 1,500 or more pills,

1 tablets, caplets, capsules, or objects containing in
2 them or having upon them any amount of a substance
3 listed in paragraph (1), (2), (2.1), (2.2), (3),
4 (14.1), (19), (20), (20.1), (21), (25), or (26) of
5 subsection (d) of Section 204, or an analog or
6 derivative thereof;

7 (8) 30 grams or more of any substance containing
8 pentazocine or any of the salts, isomers and salts of
9 isomers of pentazocine, or an analog thereof;

10 (9) 30 grams or more of any substance containing
11 methaqualone or any of the salts, isomers and salts of
12 isomers of methaqualone, or an analog thereof;

13 (10) 30 grams or more of any substance containing
14 phencyclidine or any of the salts, isomers and salts of
15 isomers of phencyclidine (PCP), or an analog thereof;

16 (10.5) 30 grams or more of any substance containing
17 ketamine or any of the salts, isomers and salts of isomers
18 of ketamine, or an analog thereof;

19 (10.6) 100 grams or more of any substance containing
20 hydrocodone, or any of the salts, isomers and salts of
21 isomers of hydrocodone, or an analog thereof;

22 (10.7) 100 grams or more of any substance containing
23 dihydrocodeinone, or any of the salts, isomers and salts of
24 isomers of dihydrocodeinone, or an analog thereof;

25 (10.8) 100 grams or more of any substance containing
26 dihydrocodeine, or any of the salts, isomers and salts of

1 isomers of dihydrocodeine, or an analog thereof;

2 (10.9) 100 grams or more of any substance containing
3 oxycodone, or any of the salts, isomers and salts of
4 isomers of oxycodone, or an analog thereof;

5 (11) 200 grams or more of any substance containing any
6 other controlled substance classified in Schedules I or II,
7 or an analog thereof, which is not otherwise included in
8 this subsection.

9 (b) Any person sentenced with respect to violations of
10 paragraph (1), (2), (3), (7), or (7.5) of subsection (a)
11 involving 100 grams or more of the controlled substance named
12 therein, may in addition to the penalties provided therein, be
13 fined an amount not more than \$500,000 or the full street value
14 of the controlled or counterfeit substance or controlled
15 substance analog, whichever is greater. The term "street value"
16 shall have the meaning ascribed in Section 110-5 of the Code of
17 Criminal Procedure of 1963. Any person sentenced with respect
18 to any other provision of subsection (a), may in addition to
19 the penalties provided therein, be fined an amount not to
20 exceed \$500,000.

21 (b-1) Excluding violations of this Act when the controlled
22 substance is fentanyl, any person sentenced to a term of
23 imprisonment with respect to violations of Section 401, 401.1,
24 405, 405.1, 405.2, or 407, when the substance containing the
25 controlled substance contains any amount of fentanyl, 3 years
26 shall be added to the term of imprisonment imposed by the

1 court, and the maximum sentence for the offense shall be
2 increased by 3 years.

3 (c) Any person who violates this Section with regard to the
4 following amounts of controlled or counterfeit substances or
5 controlled substance analogs, notwithstanding any of the
6 provisions of subsections (a), (b), (d), (e), (f), (g) or (h)
7 to the contrary, is guilty of a Class 1 felony. The fine for
8 violation of this subsection (c) shall not be more than
9 \$250,000:

10 (1) 1 gram or more but less than 15 grams of any
11 substance containing heroin, or an analog thereof;

12 (1.5) 1 gram or more but less than 15 grams of any
13 substance containing fentanyl, or an analog thereof;

14 (2) 1 gram or more but less than 15 grams of any
15 substance containing cocaine, or an analog thereof;

16 (3) 10 grams or more but less than 15 grams of any
17 substance containing morphine, or an analog thereof;

18 (4) 50 grams or more but less than 200 grams of any
19 substance containing peyote, or an analog thereof;

20 (5) 50 grams or more but less than 200 grams of any
21 substance containing a derivative of barbituric acid or any
22 of the salts of a derivative of barbituric acid, or an
23 analog thereof;

24 (6) 50 grams or more but less than 200 grams of any
25 substance containing amphetamine or any salt of an optical
26 isomer of amphetamine, or an analog thereof;

1 (6.5) (blank);

2 (7) (i) 5 grams or more but less than 15 grams of any
3 substance containing lysergic acid diethylamide (LSD), or
4 an analog thereof, or (ii) more than 10 objects or more
5 than 10 segregated parts of an object or objects but less
6 than 15 objects or less than 15 segregated parts of an
7 object containing in them or having upon them any amount of
8 any substance containing lysergic acid diethylamide (LSD),
9 or an analog thereof;

10 (7.5) (i) 5 grams or more but less than 15 grams of any
11 substance listed in paragraph (1), (2), (2.1), (2.2), (3),
12 (14.1), (19), (20), (20.1), (21), (25), or (26) of
13 subsection (d) of Section 204, or an analog or derivative
14 thereof, or (ii) more than 10 pills, tablets, caplets,
15 capsules, or objects but less than 15 pills, tablets,
16 caplets, capsules, or objects containing in them or having
17 upon them any amount of any substance listed in paragraph
18 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20), (20.1),
19 (21), (25), or (26) of subsection (d) of Section 204, or an
20 analog or derivative thereof;

21 (8) 10 grams or more but less than 30 grams of any
22 substance containing pentazocine or any of the salts,
23 isomers and salts of isomers of pentazocine, or an analog
24 thereof;

25 (9) 10 grams or more but less than 30 grams of any
26 substance containing methaqualone or any of the salts,

1 isomers and salts of isomers of methaqualone, or an analog
2 thereof;

3 (10) 10 grams or more but less than 30 grams of any
4 substance containing phencyclidine or any of the salts,
5 isomers and salts of isomers of phencyclidine (PCP), or an
6 analog thereof;

7 (10.5) 10 grams or more but less than 30 grams of any
8 substance containing ketamine or any of the salts, isomers
9 and salts of isomers of ketamine, or an analog thereof;

10 (10.6) 50 grams or more but less than 100 grams of any
11 substance containing hydrocodone, or any of the salts,
12 isomers and salts of isomers of hydrocodone, or an analog
13 thereof;

14 (10.7) 50 grams or more but less than 100 grams of any
15 substance containing dihydrocodeinone, or any of the
16 salts, isomers and salts of isomers of dihydrocodeinone, or
17 an analog thereof;

18 (10.8) 50 grams or more but less than 100 grams of any
19 substance containing dihydrocodeine, or any of the salts,
20 isomers and salts of isomers of dihydrocodeine, or an
21 analog thereof;

22 (10.9) 50 grams or more but less than 100 grams of any
23 substance containing oxycodone, or any of the salts,
24 isomers and salts of isomers of oxycodone, or an analog
25 thereof;

26 (11) 50 grams or more but less than 200 grams of any

1 substance containing a substance classified in Schedules I
2 or II, or an analog thereof, which is not otherwise
3 included in this subsection.

4 (c-5) (Blank).

5 (d) Any person who violates this Section with regard to any
6 other amount of a controlled or counterfeit substance
7 containing dihydrocodeinone or dihydrocodeine or classified in
8 Schedules I or II, or an analog thereof, which is (i) a
9 narcotic drug, (ii) lysergic acid diethylamide (LSD) or an
10 analog thereof, (iii) any substance containing amphetamine or
11 fentanyl or any salt or optical isomer of amphetamine or
12 fentanyl, or an analog thereof, or (iv) any substance
13 containing N-Benzylpiperazine (BZP) or any salt or optical
14 isomer of N-Benzylpiperazine (BZP), or an analog thereof, is
15 guilty of a Class 2 felony. The fine for violation of this
16 subsection (d) shall not be more than \$200,000.

17 (d-5) (Blank).

18 (e) Any person who violates this Section with regard to any
19 other amount of a controlled substance other than
20 methamphetamine or counterfeit substance classified in
21 Schedule I or II, or an analog thereof, which substance is not
22 included under subsection (d) of this Section, is guilty of a
23 Class 3 felony. The fine for violation of this subsection (e)
24 shall not be more than \$150,000.

25 (f) Any person who violates this Section with regard to any
26 other amount of a controlled or counterfeit substance

1 classified in Schedule III is guilty of a Class 3 felony. The
2 fine for violation of this subsection (f) shall not be more
3 than \$125,000.

4 (g) Any person who violates this Section with regard to any
5 other amount of a controlled or counterfeit substance
6 classified in Schedule IV is guilty of a Class 3 felony. The
7 fine for violation of this subsection (g) shall not be more
8 than \$100,000.

9 (h) Any person who violates this Section with regard to any
10 other amount of a controlled or counterfeit substance
11 classified in Schedule V is guilty of a Class 3 felony. The
12 fine for violation of this subsection (h) shall not be more
13 than \$75,000.

14 (i) This Section does not apply to the manufacture,
15 possession or distribution of a substance in conformance with
16 the provisions of an approved new drug application or an
17 exemption for investigational use within the meaning of Section
18 505 of the Federal Food, Drug and Cosmetic Act.

19 (j) (Blank).

20 (Source: P.A. 96-347, eff. 1-1-10; 97-997, eff. 1-1-13.)

21 (720 ILCS 570/402) (from Ch. 56 1/2, par. 1402)

22 Sec. 402. Except as otherwise authorized by this Act, it is
23 unlawful for any person knowingly to possess a controlled or
24 counterfeit substance or controlled substance analog. A
25 violation of this Act with respect to each of the controlled

1 substances listed herein constitutes a single and separate
2 violation of this Act. For purposes of this Section,
3 "controlled substance analog" or "analog" means a substance
4 ~~which is intended for human consumption~~, other than a
5 controlled substance, that has a chemical structure
6 substantially similar to that of a controlled substance in
7 Schedule I or II, or that was specifically designed to produce
8 an effect substantially similar to that of a controlled
9 substance in Schedule I or II. Examples of chemical classes in
10 which controlled substance analogs are found include, but are
11 not limited to, the following: phenethylamines, N-substituted
12 piperidines, morphinans, ecgonines, quinazolinones,
13 substituted indoles, and arylcycloalkylamines. For purposes of
14 this Act, a controlled substance analog shall be treated in the
15 same manner as the controlled substance to which it is
16 substantially similar.

17 (a) Any person who violates this Section with respect to
18 the following controlled or counterfeit substances and
19 amounts, notwithstanding any of the provisions of subsections
20 (c) and (d) to the contrary, is guilty of a Class 1 felony and
21 shall, if sentenced to a term of imprisonment, be sentenced as
22 provided in this subsection (a) and fined as provided in
23 subsection (b):

24 (1) (A) not less than 4 years and not more than 15
25 years with respect to 15 grams or more but less than
26 100 grams of a substance containing heroin;

1 (B) not less than 6 years and not more than 30
2 years with respect to 100 grams or more but less than
3 400 grams of a substance containing heroin;

4 (C) not less than 8 years and not more than 40
5 years with respect to 400 grams or more but less than
6 900 grams of any substance containing heroin;

7 (D) not less than 10 years and not more than 50
8 years with respect to 900 grams or more of any
9 substance containing heroin;

10 (2) (A) not less than 4 years and not more than 15
11 years with respect to 15 grams or more but less than
12 100 grams of any substance containing cocaine;

13 (B) not less than 6 years and not more than 30
14 years with respect to 100 grams or more but less than
15 400 grams of any substance containing cocaine;

16 (C) not less than 8 years and not more than 40
17 years with respect to 400 grams or more but less than
18 900 grams of any substance containing cocaine;

19 (D) not less than 10 years and not more than 50
20 years with respect to 900 grams or more of any
21 substance containing cocaine;

22 (3) (A) not less than 4 years and not more than 15
23 years with respect to 15 grams or more but less than
24 100 grams of any substance containing morphine;

25 (B) not less than 6 years and not more than 30
26 years with respect to 100 grams or more but less than

1 400 grams of any substance containing morphine;

2 (C) not less than 6 years and not more than 40
3 years with respect to 400 grams or more but less than
4 900 grams of any substance containing morphine;

5 (D) not less than 10 years and not more than 50
6 years with respect to 900 grams or more of any
7 substance containing morphine;

8 (4) 200 grams or more of any substance containing
9 peyote;

10 (5) 200 grams or more of any substance containing a
11 derivative of barbituric acid or any of the salts of a
12 derivative of barbituric acid;

13 (6) 200 grams or more of any substance containing
14 amphetamine or any salt of an optical isomer of
15 amphetamine;

16 (6.5) (blank);

17 (7) (A) not less than 4 years and not more than 15
18 years with respect to: (i) 15 grams or more but less
19 than 100 grams of any substance containing lysergic
20 acid diethylamide (LSD), or an analog thereof, or (ii)
21 15 or more objects or 15 or more segregated parts of an
22 object or objects but less than 200 objects or 200
23 segregated parts of an object or objects containing in
24 them or having upon them any amount of any substance
25 containing lysergic acid diethylamide (LSD), or an
26 analog thereof;

1 (B) not less than 6 years and not more than 30
2 years with respect to: (i) 100 grams or more but less
3 than 400 grams of any substance containing lysergic
4 acid diethylamide (LSD), or an analog thereof, or (ii)
5 200 or more objects or 200 or more segregated parts of
6 an object or objects but less than 600 objects or less
7 than 600 segregated parts of an object or objects
8 containing in them or having upon them any amount of
9 any substance containing lysergic acid diethylamide
10 (LSD), or an analog thereof;

11 (C) not less than 8 years and not more than 40
12 years with respect to: (i) 400 grams or more but less
13 than 900 grams of any substance containing lysergic
14 acid diethylamide (LSD), or an analog thereof, or (ii)
15 600 or more objects or 600 or more segregated parts of
16 an object or objects but less than 1500 objects or 1500
17 segregated parts of an object or objects containing in
18 them or having upon them any amount of any substance
19 containing lysergic acid diethylamide (LSD), or an
20 analog thereof;

21 (D) not less than 10 years and not more than 50
22 years with respect to: (i) 900 grams or more of any
23 substance containing lysergic acid diethylamide (LSD),
24 or an analog thereof, or (ii) 1500 or more objects or
25 1500 or more segregated parts of an object or objects
26 containing in them or having upon them any amount of a

1 substance containing lysergic acid diethylamide (LSD),
2 or an analog thereof;

3 (7.5) (A) not less than 4 years and not more than 15
4 years with respect to: (i) 15 grams or more but less
5 than 100 grams of any substance listed in paragraph
6 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
7 (20.1), (21), (25), or (26) of subsection (d) of
8 Section 204, or an analog or derivative thereof, or
9 (ii) 15 or more pills, tablets, caplets, capsules, or
10 objects but less than 200 pills, tablets, caplets,
11 capsules, or objects containing in them or having upon
12 them any amount of any substance listed in paragraph
13 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
14 (20.1), (21), (25), or (26) of subsection (d) of
15 Section 204, or an analog or derivative thereof;

16 (B) not less than 6 years and not more than 30
17 years with respect to: (i) 100 grams or more but less
18 than 400 grams of any substance listed in paragraph
19 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
20 (20.1), (21), (25), or (26) of subsection (d) of
21 Section 204, or an analog or derivative thereof, or
22 (ii) 200 or more pills, tablets, caplets, capsules, or
23 objects but less than 600 pills, tablets, caplets,
24 capsules, or objects containing in them or having upon
25 them any amount of any substance listed in paragraph
26 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),

1 (20.1), (21), (25), or (26) of subsection (d) of
2 Section 204, or an analog or derivative thereof;

3 (C) not less than 8 years and not more than 40
4 years with respect to: (i) 400 grams or more but less
5 than 900 grams of any substance listed in paragraph
6 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
7 (20.1), (21), (25), or (26) of subsection (d) of
8 Section 204, or an analog or derivative thereof, or
9 (ii) 600 or more pills, tablets, caplets, capsules, or
10 objects but less than 1,500 pills, tablets, caplets,
11 capsules, or objects containing in them or having upon
12 them any amount of any substance listed in paragraph
13 (1), (2), (2.1), (2.2), (3), (14.1), (19), (20),
14 (20.1), (21), (25), or (26) of subsection (d) of
15 Section 204, or an analog or derivative thereof;

16 (D) not less than 10 years and not more than 50
17 years with respect to: (i) 900 grams or more of any
18 substance listed in paragraph (1), (2), (2.1), (2.2),
19 (3), (14.1), (19), (20), (20.1), (21), (25), or (26) of
20 subsection (d) of Section 204, or an analog or
21 derivative thereof, or (ii) 1,500 or more pills,
22 tablets, caplets, capsules, or objects containing in
23 them or having upon them any amount of a substance
24 listed in paragraph (1), (2), (2.1), (2.2), (3),
25 (14.1), (19), (20), (20.1), (21), (25), or (26) of
26 subsection (d) of Section 204, or an analog or

1 derivative thereof;

2 (8) 30 grams or more of any substance containing
3 pentazocine or any of the salts, isomers and salts of
4 isomers of pentazocine, or an analog thereof;

5 (9) 30 grams or more of any substance containing
6 methaqualone or any of the salts, isomers and salts of
7 isomers of methaqualone;

8 (10) 30 grams or more of any substance containing
9 phencyclidine or any of the salts, isomers and salts of
10 isomers of phencyclidine (PCP);

11 (10.5) 30 grams or more of any substance containing
12 ketamine or any of the salts, isomers and salts of isomers
13 of ketamine;

14 (11) 200 grams or more of any substance containing any
15 substance classified as a narcotic drug in Schedules I or
16 II, or an analog thereof, which is not otherwise included
17 in this subsection.

18 (b) Any person sentenced with respect to violations of
19 paragraph (1), (2), (3), (7), or (7.5) of subsection (a)
20 involving 100 grams or more of the controlled substance named
21 therein, may in addition to the penalties provided therein, be
22 fined an amount not to exceed \$200,000 or the full street value
23 of the controlled or counterfeit substances, whichever is
24 greater. The term "street value" shall have the meaning
25 ascribed in Section 110-5 of the Code of Criminal Procedure of
26 1963. Any person sentenced with respect to any other provision

1 of subsection (a), may in addition to the penalties provided
2 therein, be fined an amount not to exceed \$200,000.

3 (c) Any person who violates this Section with regard to an
4 amount of a controlled substance other than methamphetamine or
5 counterfeit substance not set forth in subsection (a) or (d) is
6 guilty of a Class 4 felony. The fine for a violation punishable
7 under this subsection (c) shall not be more than \$25,000.

8 (d) Any person who violates this Section with regard to any
9 amount of anabolic steroid is guilty of a Class C misdemeanor
10 for the first offense and a Class B misdemeanor for a
11 subsequent offense committed within 2 years of a prior
12 conviction.

13 (Source: P.A. 95-331, eff. 8-21-07; 96-347, eff. 1-1-10.)".