



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0077

Introduced 1/9/2025, by Rep. Jackie Haas

SYNOPSIS AS INTRODUCED:

720 ILCS 570/208

from Ch. 56 1/2, par. 1208

720 ILCS 570/309.1 new

Amends the Illinois Controlled Substances Act. Schedules xylazine as a Schedule III controlled substance. Provides that notwithstanding the scheduling of xylazine as a Schedule III controlled substance, xylazine shall not be considered a controlled substance when: (1) used by licensed Illinois veterinarians dispensing or prescribing for, or administering to, a nonhuman species of a drug containing xylazine that has been approved by the U.S. Food and Drug Administration; (2) used by licensed Illinois veterinarians dispensing or prescribing for, or administering to, a nonhuman species that is permissible under the Federal Food, Drug, and Cosmetic Act; (3) manufactured, distributed, or used as an active pharmaceutical ingredient for manufacturing an animal drug approved under the Federal Food, Drug, and Cosmetic Act; (4) used by a licensed certified euthanasia technician employed by a certified euthanasia agency; or (5) used by a wildlife biologist engaged in legal or authorized fieldwork under the indirect supervision of a veterinarian.

LRB104 03201 RLC 13222 b

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 5. The Illinois Controlled Substances Act is
5 amended by changing Section 208 and by adding Section 309.1
6 as follows:

7 (720 ILCS 570/208) (from Ch. 56 1/2, par. 1208)

8 (Text of Section before amendment by P.A. 103-881)

9 Sec. 208. (a) The controlled substances listed in this
10 Section are included in Schedule III.

11 (b) Unless specifically excepted or unless listed in
12 another schedule, any material, compound, mixture, or
13 preparation which contains any quantity of the following
14 substances having a stimulant effect on the central nervous
15 system, including its salts, isomers (whether optical
16 position, or geometric), and salts of such isomers whenever
17 the existence of such salts, isomers, and salts of isomers is
18 possible within the specific chemical designation;

19 (1) Those compounds, mixtures, or preparations in
20 dosage unit form containing any stimulant substances
21 listed in Schedule II which compounds, mixtures, or
22 preparations were listed on August 25, 1971, as excepted
23 compounds under Title 21, Code of Federal Regulations,

1 Section 308.32, and any other drug of the quantitative
2 composition shown in that list for those drugs or which is
3 the same except that it contains a lesser quantity of
4 controlled substances;

5 (2) Benzphetamine;

6 (3) Chlorphentermine;

7 (4) Clortermine;

8 (5) Phendimetrazine.

9 (c) Unless specifically excepted or unless listed in
10 another schedule, any material, compound, mixture, or
11 preparation which contains any quantity of the following
12 substances having a potential for abuse associated with a
13 depressant effect on the central nervous system:

14 (1) Any compound, mixture, or preparation containing
15 amobarbital, secobarbital, pentobarbital or any salt
16 thereof and one or more other active medicinal ingredients
17 which are not listed in any schedule;

18 (2) Any suppository dosage form containing
19 amobarbital, secobarbital, pentobarbital or any salt of
20 any of these drugs and approved by the Federal Food and
21 Drug Administration for marketing only as a suppository;

22 (3) Any substance which contains any quantity of a
23 derivative of barbituric acid, or any salt thereof:

24 (3.1) Aprobarbital;

25 (3.2) Butabarbital (secbutabarbital);

26 (3.3) Butalbital;

1 (3.4) Butobarbital (butethal);

2 (4) Chlorhexadol;

3 (5) Methyprylon;

4 (6) Sulfondiethylmethane;

5 (7) Sulfonethylmethane;

6 (8) Sulfonmethane;

7 (9) Lysergic acid;

8 (10) Lysergic acid amide;

9 (10.1) Tiletamine or zolazepam or both, or any salt of
10 either of them.

11 Some trade or other names for a tiletamine-zolazepam
12 combination product: Telazol.

13 Some trade or other names for Tiletamine:

14 2-(ethylamino)-2-(2-thienyl)-cyclohexanone.

15 Some trade or other names for zolazepam:

16 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-
17 [3,4-e], [1,4]-diazepin-7(1H)-one, and flupyrazapon.

18 (11) Any material, compound, mixture or preparation
19 containing not more than 12.5 milligrams of pentazocine or
20 any of its salts, per 325 milligrams of aspirin;

21 (12) Any material, compound, mixture or preparation
22 containing not more than 12.5 milligrams of pentazocine or
23 any of its salts, per 325 milligrams of acetaminophen;

24 (13) Any material, compound, mixture or preparation
25 containing not more than 50 milligrams of pentazocine or
26 any of its salts plus naloxone HCl USP 0.5 milligrams, per

1 dosage unit;

2 (14) Ketamine;

3 (15) Thiopental.

4 (d) Nalorphine.

5 (d.5) Buprenorphine.

6 (e) Unless specifically excepted or unless listed in
7 another schedule, any material, compound, mixture, or
8 preparation containing limited quantities of any of the
9 following narcotic drugs, or their salts calculated as the
10 free anhydrous base or alkaloid, as set forth below:

11 (1) not more than 1.8 grams of codeine per 100
12 milliliters or not more than 90 milligrams per dosage
13 unit, with an equal or greater quantity of an isoquinoline
14 alkaloid of opium;

15 (2) not more than 1.8 grams of codeine per 100
16 milliliters or not more than 90 milligrams per dosage
17 unit, with one or more active non-narcotic ingredients in
18 recognized therapeutic amounts;

19 (3) (blank);

20 (4) (blank);

21 (5) not more than 1.8 grams of dihydrocodeine per 100
22 milliliters or not more than 90 milligrams per dosage
23 unit, with one or more active, non-narcotic ingredients in
24 recognized therapeutic amounts;

25 (6) not more than 300 milligrams of ethylmorphine per
26 100 milliliters or not more than 15 milligrams per dosage

1 unit, with one or more active, non-narcotic ingredients in
2 recognized therapeutic amounts;

3 (7) not more than 500 milligrams of opium per 100
4 milliliters or per 100 grams, or not more than 25
5 milligrams per dosage unit, with one or more active,
6 non-narcotic ingredients in recognized therapeutic
7 amounts;

8 (8) not more than 50 milligrams of morphine per 100
9 milliliters or per 100 grams with one or more active,
10 non-narcotic ingredients in recognized therapeutic
11 amounts.

12 (f) Anabolic steroids, except the following anabolic
13 steroids that are exempt:

- 14 (1) Androgyn L.A.;
- 15 (2) Andro-Estro 90-4;
- 16 (3) depANDROGYN;
- 17 (4) DEPO-T.E.;
- 18 (5) depTESTROGEN;
- 19 (6) Duomone;
- 20 (7) DURATESTRIN;
- 21 (8) DUO-SPAN II;
- 22 (9) Estratest;
- 23 (10) Estratest H.S.;
- 24 (11) PAN ESTRA TEST;
- 25 (12) Premarin with Methyltestosterone;
- 26 (13) TEST-ESTRO Cypionates;

- 1 (14) Testosterone Cyp 50 Estradiol Cyp 2;
2 (15) Testosterone Cypionate-Estradiol Cypionate
3 injection; and
4 (16) Testosterone Enanthate-Estradiol Valerate
5 injection.

6 (g) Hallucinogenic substances.

- 7 (1) Dronabinol (synthetic) in sesame oil and
8 encapsulated in a soft gelatin capsule in a U.S. Food and
9 Drug Administration approved product. Some other names for
10 dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-
11 6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol) or
12 (-)-delta-9-(trans)-tetrahydrocannabinol.

13 (2) (Reserved).

14 (h) The Department may except by rule any compound,
15 mixture, or preparation containing any stimulant or depressant
16 substance listed in subsection (b) from the application of all
17 or any part of this Act if the compound, mixture, or
18 preparation contains one or more active medicinal ingredients
19 not having a stimulant or depressant effect on the central
20 nervous system, and if the admixtures are included therein in
21 combinations, quantity, proportion, or concentration that
22 vitiate the potential for abuse of the substances which have a
23 stimulant or depressant effect on the central nervous system.

24 (Source: P.A. 100-368, eff. 1-1-18.)

25 (Text of Section after amendment by P.A. 103-881)

1 Sec. 208. (a) The controlled substances listed in this
2 Section are included in Schedule III.

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

11 (1) Those compounds, mixtures, or preparations in
12 dosage unit form containing any stimulant substances
13 listed in Schedule II which compounds, mixtures, or
14 preparations were listed on August 25, 1971, as excepted
15 compounds under Title 21, Code of Federal Regulations,
16 Section 308.32, and any other drug of the quantitative
17 composition shown in that list for those drugs or which is
18 the same except that it contains a lesser quantity of
19 controlled substances;

20 (2) Benzphetamine;

21 (3) Chlorphentermine;

22 (4) Clortermine;

23 (5) Phendimetrazine.

24 (c) Unless specifically excepted or unless listed in
25 another schedule, any material, compound, mixture, or
26 preparation which contains any quantity of the following

1 substances having a potential for misuse associated with a
2 depressant effect on the central nervous system:

3 (1) Any compound, mixture, or preparation containing
4 amobarbital, secobarbital, pentobarbital or any salt
5 thereof and one or more other active medicinal ingredients
6 which are not listed in any schedule;

7 (2) Any suppository dosage form containing
8 amobarbital, secobarbital, pentobarbital or any salt of
9 any of these drugs and approved by the Federal Food and
10 Drug Administration for marketing only as a suppository;

11 (3) Any substance which contains any quantity of a
12 derivative of barbituric acid, or any salt thereof:

13 (3.1) Aprobarbital;

14 (3.2) Butabarbital (secbutabarbital);

15 (3.3) Butalbital;

16 (3.4) Butobarbital (butethal);

17 (4) Chlorhexadol;

18 (5) Methypylon;

19 (6) Sulfondiethylmethane;

20 (7) Sulfonethylmethane;

21 (8) Sulfonmethane;

22 (9) Lysergic acid;

23 (10) Lysergic acid amide;

24 (10.1) Tiletamine or zolazepam or both, or any salt of
25 either of them.

26 Some trade or other names for a tiletamine-zolazepam

1 combination product: Telazol.

2 Some trade or other names for Tiletamine:

3 2-(ethylamino)-2-(2-thienyl)-cyclohexanone.

4 Some trade or other names for zolazepam:

5 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-

6 [3,4-e], [1,4]-diazepin-7(1H)-one, and flupyrazapon.

7 (11) Any material, compound, mixture or preparation
8 containing not more than 12.5 milligrams of pentazocine or
9 any of its salts, per 325 milligrams of aspirin;

10 (12) Any material, compound, mixture or preparation
11 containing not more than 12.5 milligrams of pentazocine or
12 any of its salts, per 325 milligrams of acetaminophen;

13 (13) Any material, compound, mixture or preparation
14 containing not more than 50 milligrams of pentazocine or
15 any of its salts plus naloxone HCl USP 0.5 milligrams, per
16 dosage unit;

17 (14) Ketamine;

18 (15) Thiopental; ~~-~~

19 (16) dihydro-4H-1,3 thiazin-2-amine), including its
20 isomers, esters, ethers, salts, and salts of isomers,
21 esters, and ethers, whenever the existence of such
22 isomers, esters, ethers, and salts is possible within the
23 specific chemical designation.

24 (d) Nalorphine.

25 (d.5) Buprenorphine.

26 (e) Unless specifically excepted or unless listed in

1 another schedule, any material, compound, mixture, or
2 preparation containing limited quantities of any of the
3 following narcotic drugs, or their salts calculated as the
4 free anhydrous base or alkaloid, as set forth below:

5 (1) not more than 1.8 grams of codeine per 100
6 milliliters or not more than 90 milligrams per dosage
7 unit, with an equal or greater quantity of an isoquinoline
8 alkaloid of opium;

9 (2) not more than 1.8 grams of codeine per 100
10 milliliters or not more than 90 milligrams per dosage
11 unit, with one or more active non-narcotic ingredients in
12 recognized therapeutic amounts;

13 (3) (blank);

14 (4) (blank);

15 (5) not more than 1.8 grams of dihydrocodeine per 100
16 milliliters or not more than 90 milligrams per dosage
17 unit, with one or more active, non-narcotic ingredients in
18 recognized therapeutic amounts;

19 (6) not more than 300 milligrams of ethylmorphine per
20 100 milliliters or not more than 15 milligrams per dosage
21 unit, with one or more active, non-narcotic ingredients in
22 recognized therapeutic amounts;

23 (7) not more than 500 milligrams of opium per 100
24 milliliters or per 100 grams, or not more than 25
25 milligrams per dosage unit, with one or more active,
26 non-narcotic ingredients in recognized therapeutic

1 amounts;

2 (8) not more than 50 milligrams of morphine per 100
3 milliliters or per 100 grams with one or more active,
4 non-narcotic ingredients in recognized therapeutic
5 amounts.

6 (f) Anabolic steroids, except the following anabolic
7 steroids that are exempt:

8 (1) Androgyn L.A.;

9 (2) Andro-Estro 90-4;

10 (3) depANDROGYN;

11 (4) DEPO-T.E.;

12 (5) depTESTROGEN;

13 (6) Duomone;

14 (7) DURATESTRIN;

15 (8) DUO-SPAN II;

16 (9) Estratest;

17 (10) Estratest H.S.;

18 (11) PAN ESTRA TEST;

19 (12) Premarin with Methyltestosterone;

20 (13) TEST-ESTRO Cypionates;

21 (14) Testosterone Cyp 50 Estradiol Cyp 2;

22 (15) Testosterone Cypionate-Estradiol Cypionate
23 injection; and

24 (16) Testosterone Enanthate-Estradiol Valerate
25 injection.

26 (g) Hallucinogenic substances.

1 (1) Dronabinol (synthetic) in sesame oil and
2 encapsulated in a soft gelatin capsule in a U.S. Food and
3 Drug Administration approved product. Some other names for
4 dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-
5 6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol) or
6 (-)-delta-9-(trans)-tetrahydrocannabinol.

7 (2) (Reserved).

8 (h) The Department may except by rule any compound,
9 mixture, or preparation containing any stimulant or depressant
10 substance listed in subsection (b) from the application of all
11 or any part of this Act if the compound, mixture, or
12 preparation contains one or more active medicinal ingredients
13 not having a stimulant or depressant effect on the central
14 nervous system, and if the admixtures are included therein in
15 combinations, quantity, proportion, or concentration that
16 vitiate the potential for misuse of the substances which have
17 a stimulant or depressant effect on the central nervous
18 system.

19 (Source: P.A. 103-881, eff. 1-1-25.)

20 (720 ILCS 570/309.1 new)

21 Sec. 309.1. Xylazine exemptions. Notwithstanding the
22 scheduling of xylazine as a Schedule III controlled substance,
23 xylazine shall not be considered a controlled substance when:

24 (1) used by licensed Illinois veterinarians dispensing or
25 prescribing for, or administering to, a nonhuman species of a

1 drug containing xylazine that has been approved by the U.S.
2 Food and Drug Administration;

3 (2) used by licensed Illinois veterinarians dispensing or
4 prescribing for, or administering to, a nonhuman species that
5 is permissible under the Federal Food, Drug, and Cosmetic Act;

6 (3) manufactured, distributed, or used as an active
7 pharmaceutical ingredient for manufacturing an animal drug
8 approved under the Federal Food, Drug, and Cosmetic Act;

9 (4) used by a licensed certified euthanasia technician
10 employed by a certified euthanasia agency; or

11 (5) used by a wildlife biologist engaged in legal or
12 authorized fieldwork under the indirect supervision of a
13 veterinarian.

14 Section 95. No acceleration or delay. Where this Act makes
15 changes in a statute that is represented in this Act by text
16 that is not yet or no longer in effect (for example, a Section
17 represented by multiple versions), the use of that text does
18 not accelerate or delay the taking effect of (i) the changes
19 made by this Act or (ii) provisions derived from any other
20 Public Act.