

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 Hypodermic Syringes and Needles Act is
5 amended by changing Section 2 as follows:

6 (720 ILCS 635/2) (from Ch. 38, par. 22-51)

7 Sec. 2. Sale of hypodermic syringes and needles.

8 (a) Except as provided in subsection (b), no syringe,
9 needle or instrument shall be delivered or sold to, or
10 exchanged with, any person except a registered pharmacist,
11 physician, dentist, veterinarian, registered embalmer,
12 manufacturer or dealer in embalming supplies, wholesale
13 druggist, manufacturing pharmacist, industrial user, a nurse
14 upon the written order of a physician or dentist, the holder of
15 a permit issued under Section 5 of this Act, a registered
16 chiropodist, or an employee of an incorporated hospital upon
17 the written order of its superintendent or officer in
18 immediate charge; provided that the provisions of this Act
19 shall not prohibit the sale, possession or use of hypodermic
20 syringes or hypodermic needles for treatment of livestock or
21 poultry by the owner or keeper thereof or a person engaged in
22 chemical, clinical, pharmaceutical or other scientific
23 research, or a staff person, volunteer, or participant in a

1 needle or hypodermic syringe access program.

2 (b) A pharmacist may sell up to 100 sterile hypodermic
3 syringes or needles to a person who is at least 18 years of
4 age. A syringe or needle sold under this subsection (b) must be
5 stored at a pharmacy and in a manner that limits access to the
6 syringes or needles to pharmacists employed at the pharmacy
7 and any persons designated by the pharmacists. A syringe or
8 needle sold at a pharmacy under this subsection (b) may be sold
9 only from the pharmacy department of the pharmacy.

10 (c) If the pharmacy has sterile hypodermic syringes or
11 needles in stock, a pharmacist, based on the pharmacist's
12 professional and clinical judgment, shall sell sterile
13 hypodermic syringes or needles to any qualifying individual
14 when sterile hypodermic syringes or needles are required for
15 the proper utilization or administration of medications,
16 including any counseling or referrals to relevant healthcare
17 services.

18 (Source: P.A. 100-326, eff. 1-1-18; 101-356, eff. 8-9-19.)