AN ACT concerning animal control.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Humane Euthanasia in Animal Shelters Act.

Section 5. Definitions. The following terms have the meanings indicated, unless the context requires otherwise:

"Animal" means any bird, fish, reptile, or mammal other than man.

"Board" means the Veterinary Licensing and Disciplinary Board.

"DEA" means the United States Department of Justice Drug Enforcement Administration.

"Department" means the Department of Professional Regulation.

"Director" means the Director of the Department of Professional Regulation.

"Euthanasia agency" means a law enforcement agency, an animal control agency or animal shelter licensed under the Animal Welfare Act, a duly incorporated humane society, or a society for the prevention of cruelty to animals, that has been inspected and certified by the Department.

"Euthanasia drugs" means sodium pentobarbital or any other Schedule III or Schedule II narcotic or non-narcotic euthanasia drug indicated for animal euthanasia, as defined by the Illinois Controlled Substances Act, that has first been approved in writing for use by the Federal Drug Authority, the Department, the Euthanasia Task Force, and the Board.

"Euthanasia technician" means a person employed by a euthanasia agency or working under the direct supervision of

a veterinarian and who is certified by the Department.

"Euthanasia Task Force" means a task force established by the Board for the purposes of training, examining, and inspecting euthanasia agencies and euthanasia technicians.

"Veterinarian" means a person holding the degree of Doctor of Veterinary Medicine who is licensed under the Veterinary Medicine and Surgery Practice Act of 1994.

Section 10. Euthanasia Task Force.

(a) A Euthanasia Task Force shall be established by the Board for the purposes of training and examining euthanasia agencies and euthanasia technicians and for annually inspecting euthanasia agencies.

(b) The membership of the Euthanasia Task Force shall consist of no fewer than 16 members appointed by the Board and shall include at least one member of the Board. New members shall be nominated by either the Board or the Euthanasia Task Force and shall be confirmed by the Board. Applicants for a position on the Euthanasia Task Force shall be euthanasia technicians employed by a euthanasia agency or a veterinarian.

(c) Each member of the Euthanasia Task Force shall serve for 2 years, upon the approval of the Board, but may be removed for just cause. A Euthanasia Task Force member may be reappointed. If there is a vacancy for any cause, the Euthanasia Task Force shall nominate and the Board shall confirm a successor to fill the unexpired term.

(d) Each member of the Euthanasia Task Force shall be entitled to receive a per diem stipend at a rate set by the Director and shall be reimbursed for all authorized expenses incurred in the exercise of his or her duties.

(e) The duties of the Euthanasia Task Force members shall include all of the following:

(1) coordinating and providing euthanasia training

classes (which may be done with the aid of the Illinois Federation of Humane Societies, the Illinois State Veterinary Medical Association or other appropriate entities) twice yearly or as needed;

(2) inspecting and certifying euthanasia agencies;

(3) reviewing the applications, records, performance, methods, and procedures used by euthanasia agencies and persons seeking to be certified or to renew their certification as a euthanasia agency or euthanasia technician;

(4) conducting written and practical examinations for applicants applying for certification, and authorizing certification through the Board; and

(5) recommending that the Board suspend or revoke certifications when necessary.

(f) The Euthanasia Task Force shall develop training sessions and materials that include all of the following topics:

(1) the theory and history of euthanasia methods;

(2) animal anatomy and physiology;

(3) proper animal handling to ease trauma and stress;

(4) dosages of chemical agents, record keeping and documentation of usage, storage, handling, and disposal of expired drugs in accordance with the Illinois Controlled Substances Act;

(5) proper injection techniques; and

(6) confirmation of death.

(g) One or more Euthanasia Task Force members shall visit each euthanasia agency at least once every 3 years, and shall require a satisfactory demonstration, either practical or written, of the skill of the euthanasia technicians employed by the euthanasia agency.

Section 15. Agency certification.

(a) In order to be certified to purchase and possess approved drugs, euthanasia agencies shall be inspected by a member of the Euthanasia Task Force and shall demonstrate that the euthanasia agency meets all of the following criteria:

(1) Approved drugs are kept in a securely locked cabinet or a metal safe when not in use. A temporary storage cabinet may be used when a euthanasia technician is on duty and animals are being euthanized during the workday. The cabinet shall be constructed of strong material and shall be securely locked. The key to this cabinet shall be available only to veterinarians or euthanasia technicians.

(2) Approved drugs are properly labeled and include all of the information required by State and federal law.

(3) All records are filed in chronological order in a binder that is labeled with the name of the agency and that is maintained for 3 years. The euthanasia agency shall submit a copy of its records to the Euthanasia Task Force on an annual basis.

(4) The conditions of the site shall be properly constructed and maintained including, without limitation, proper disposal of medical waste, regular cleaning and disinfecting, bright and even lighting, an air temperature range that is reasonably comfortable for personnel and animals, and an adequate ventilation system.

(b) A certification may be renewed upon the successful completion of a facility inspection by a Euthanasia Task Force member and the payment of the annual renewal fee.

(c) The euthanasia agency shall notify the Board in writing within 30 days of the time that the employment of a

euthanasia technician is terminated from the euthanasia agency.

Section 20. Technician certification; duties.

(a) Euthanasia technicians shall have had instruction in the proper methods of humane euthanasia, animal anatomy and physiology, proper animal handling, confirmation of death in an animal, security, record keeping, and any other skills that are deemed necessary by the Board. In addition, euthanasia technicians shall have additional training in the proper use and handling of approved restraint drugs and equipment.

(b) Technicians shall be given a written examination following 15 hours of euthanasia training. Technicians who pass the written examination will be eligible for the practical examination for certification as euthanasia technicians.

(c) Applicants for euthanasia technician positions shall be at least 18 years of age and shall demonstrate proficiency in humane euthanasia standards, which shall be demonstrated in the presence of one or more Euthanasia Task Force members, after the animals have been scanned for microchips. Humane euthanasia standards shall include:

(1) Proper performance of intravenous injections on dogs and intraperitoneal injections on both dogs and cats. Intracardiac injections shall not be required and are to be performed only on anaesthetized, heavily sedated, and comatose animals. Oral administration of approved drugs is permitted for any animal that cannot be captured or restrained without serious danger to human safety.

(2) Proper record keeping, including the species and approximate weight of each animal administered a drug, the amount of the drug that was administered, and

the signature of the euthanasia technician who administered the drug.

(3) Understanding and concern for the needs of individual animals. The use of control sticks, squeeze gates, nets and squeeze cages, or other restraint devices shall be limited to fractious, feral, vicious or dangerous animals. Control sticks shall never be used on cats, except in such extreme cases where no other restraint methods can be used.

(4) Knowledge and the ability to verify death by using a cardiac puncture or a stethoscope or by recognizing the signs of rigor mortis.

(d) An applicant shall not be certified as a euthanasia technician until such time as the applicant has demonstrated proficiency in the practical examination that shall be conducted following the applicant having satisfactorily passed the written exam. Certification and renewal examinations shall be conducted every 3 years.

(e) Notwithstanding the provisions of subsection (b) of this Section, an applicant who has passed the written exam may serve as a euthanasia technician under the direct supervision of a veterinarian or euthanasia technician until the next training course and practical exam are conducted by a Euthanasia Task Force member.

(f) Upon termination from a euthanasia agency, a euthanasia technician shall not perform animal euthanasia until he or she is employed by another certified euthanasia agency.

(g) Euthanasia agency certifications and euthanasia technician certifications expire 36 months from the date of issuance. Euthanasia agency and euthanasia technician certifications may be renewed upon the successful completion of a written or practical examination to be administered by the Euthanasia Task Force and payment of the annual renewal

fee.

(h) The duties of a euthanasia technician shall include but are not limited to:

(1) preparing animals for euthanasia and scanning for microchips;

(2) accurately recording the dosages administered and the amount of drugs wasted;

(3) ordering supplies;

(4) maintaining the security of all controlled substances and drugs;

(5) humanely euthanizing animals; and

(6) properly disposing of euthanized animals after verification of death.

(i) A certified euthanasia technician does not engage in the practice of veterinary medicine when performing duties set forth in this Act.

(j) Discipline shall be imposed for one or any combination of the following, without limitation:

(1) failing to carry out the duties of a euthanasia technician;

(2) abusing the use of any chemical substance;

(3) selling, stealing, or giving chemical substances away;

(4) abetting anyone in the activities listed in this subsection (j);

(5) euthanizing animals without proper supervision while on a probationary status; or

(6) violating any provision of this Act, the Illinois Controlled Substances Act, the rules adopted under these Acts or any rules adopted by the Department of Professional Regulation concerning the euthanizing of animals.

(k) A violation of any of the provisions of subsection (j) of this Section shall be grounds for the suspension or

revocation of the certification.

(l) All fees shall be paid prior to training, examination, certification, and renewal. Fees collected under this Act are nonrefundable.

Section 25. Grandfathering provision. The Department may issue certification to a euthanasia technician who presents proof in a manner established by the Department that he or she has been licensed or certified by the American Humane Association, the National Animal Control Association, the Illinois Federation of Humane Societies, or the Humane Society of the United States, within the 5 years preceding the effective date of this Act.

Section 30. Reciprocity. An applicant, who is a euthanasia technician registered or licensed under the laws of another state or territory of the United States that has requirements that are substantially similar to the requirements of this Act, may be granted certification as a euthanasia technician in this State without examination, upon presenting satisfactory proof to the Department that the applicant has been engaged in the practice of euthanasia for a period of not less than one year and upon payment of the required fee.

Section 35. Procedures for euthanasia.

(a) Only euthanasia drugs and commercially compressed carbon monoxide, subject to the limitations imposed under subsection (b) of this Section, shall be used for the purpose of humanely euthanizing injured, sick, homeless, or unwanted companion animals in an animal shelter or an animal control agency.

(b) Commercially compressed carbon monoxide may be used as a permitted method of euthanasia provided that it is

performed in a commercially manufactured chamber pursuant to the guidelines set forth in the most recent report of the AVMA Panel on Euthanasia. Different species of animals shall not be placed in the chamber together. The chamber shall never be overcrowded and each animal shall be able to make normal postural adjustments. A chamber that is designed to euthanize more than one animal at a time must be equipped with independent sections or cages to separate incompatible animals. The interior of the chamber must be well lit and equipped with view-ports, a regulator, and a flow meter. Monitoring equipment must be used at all times during the operation. Animals that are under 4 months of age, old, injured, or sick may not be euthanized by carbon monoxide. Animals shall remain in the chamber and be exposed for a minimum of 20 minutes. Confirmation of death shall be determined for each animal via cardiac puncture, use of a stethoscope to verify lack of respiration or cardiac activity, or by observation of rigor mortis. The animals shall be disposed of in accordance with the Illinois Dead Animal Disposal Act. The chamber shall be cleaned thoroughly after each use. Staff members shall be fully notified of potential health risks.

Section 40. Procurement and administration of approved drugs.

(a) A euthanasia agency may directly obtain approved drugs for the euthanization of animals and a euthanasia technician may administer the drugs, provided that the following procedures are adhered to:

(1) A euthanasia agency shall appoint a person who will be responsible for ordering the approved drugs and who shall submit an application for the agency's registration as a euthanasia agency practitioner to the DEA. The euthanasia agency shall also designate a

euthanasia technician who shall be responsible for the security of the agency's approved drugs.

(2) A designated euthanasia technician shall apply for a controlled substance license from the Department under the designee's name and using the euthanasia agency's DEA registration number.

(b) After the euthanasia agency has received a DEA registration number and the designated euthanasia technician has received a controlled substance license from the Department, the authorizing agency may order and purchase any approved drugs.

(c) Euthanasia technicians employed by euthanasia agencies and registered with the Department may perform euthanasia by the administration of approved drugs.

Section 45. Unacceptable agents. Unacceptable euthanasia agents for use in animal shelter or animal control facilities are those physical or chemical agents or chambers that are not authorized under this Act including, but not limited to, a chloroform chamber, a decompression chamber, a non-penetrating captive bolt, physical or electrical stunning, injection of an air embolism, exsanguination, rapid freezing, drowning, succinylcholine chloride, nicotine, chloral hydrate, magnesium sulfate, cyanide, and strychnine.

Section 50. Inspection deficiencies. If there are inspection deficiencies with either a euthanizing agency or a euthanasia technician, a Euthanasia Task Force member shall document in writing the areas where correction is needed. The euthanizing agency or the euthanasia technician shall make the necessary corrections within 30 days of receipt of notice of deficiency and a Euthanasia Task Force member shall re-inspect within 90 days of the date of the initial notice of deficiency. If the deficiency has not been corrected, the

certification may be suspended or revoked by the Euthanasia Task Force. If a certification is revoked, the Euthanasia Task Force shall so notify the Department and the euthanasia performed at the facility must be performed by a veterinarian or the animals must be transported to another certified euthanasia agency.

Section 55. Violations. Any person practicing as a euthanasia technician and any agency operating as a euthanasia agency without possessing a valid certification or a temporary permit is in violation of this Act and may be subject to all the penalties provided under this Act.

Section 60. Exemption from liability. An instructor of euthanasia techniques or a veterinarian who engages in the instructing of euthanasia technicians, in a course approved by the Department, shall not incur any civil or criminal liability for any subsequent misuse or malpractice of a euthanasia technician who has attended the course.

Any veterinarian, who in good faith administers euthanasia drugs to an animal in an animal control facility or an animal shelter, has immunity from any liability, civil, criminal, or otherwise, that may result from his or her actions. For the purposes of any proceedings, civil or criminal, the good faith of the veterinarian shall be rebuttably presumed.

Section 65. Penalties.

(a) In addition to any other penalty provided by law, a person who violates any provision of this Act shall pay a civil penalty in an amount not to exceed $5,000 for each offense as determined by the Department.

(b) The Department has the authority to investigate all uncertified euthanasia activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing civil penalty. The order shall constitute a judgement and may be filed and executed in the same manner as any judgement from any court of record.

(d) All monies collected under this Section shall be deposited into the Professional Regulation Evidence Fund.

Section 70. The Illinois Controlled Substances Act is amended by changing Section 102 and adding Section 321 as follows:

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

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

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

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

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

(2) the patient or research subject at the lawful direction of the practitioner.

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

warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

(i) boldenone,

(ii) chlorotestosterone,

(iii) chostebol,

(iv) dehydrochlormethyltestosterone,

(v) dihydrotestosterone,

(vi) drostanolone,

(vii) ethylestrenol,

(viii) fluoxymesterone,

(ix) formebulone,

(x) mesterolone,

(xi) methandienone,

(xii) methandranone,

(xiii) methandriol,

(xiv) methandrostenolone,

(xv) methenolone,

(xvi) methyltestosterone,

(xvii) mibolerone,

(xviii) nandrolone,

(xix) norethandrolone,

(xx) oxandrolone,

(xxi) oxymesterone,

(xxii) oxymetholone,

(xxiii) stanolone,

(xxiv) stanozolol,

(xxv) testolactone,

(xxvi) testosterone,

(xxvii) trenbolone, and

(xxviii) any salt, ester, or isomer of a drug or substance described or listed in this paragraph,

if that salt, ester, or isomer promotes muscle growth.

Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

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

(d-5) "Animal control facility" means any facility operated by or under contract for the State, county, or any municipal corporation or political subdivision of the State for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals. "Animal control facility" also means any veterinary hospital or clinic operated by one or more veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 1994 that operates for that purpose in addition to its customary purposes.

(d-10) "Animal shelter" means a facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other non-profit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals. "Animal shelter" also means any veterinary hospital or clinic

operated by one or more veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 1994 that operates for that purpose in addition to its customary purposes.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule under Article II of this Act whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means a drug, substance, or immediate precursor in the Schedules of Article II of this Act.

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

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

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

(j) "Department of State Police" means the Department of State Police of the State of Illinois or its successor agency.

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

(l) "Department of Professional Regulation" means the Department of Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" or "stimulant substance" means:

(1) a drug which contains any quantity of (i)

barbituric acid or any of the salts of barbituric acid which has been designated as habit forming under section 502 (d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352 (d)); or

(2) a drug which contains any quantity of (i) amphetamine or methamphetamine and any of their optical isomers; (ii) any salt of amphetamine or methamphetamine or any salt of an optical isomer of amphetamine; or (iii) any substance which the Department, after investigation, has found to be, and by rule designated as, habit forming because of its depressant or stimulant effect on the central nervous system; or

(3) lysergic acid diethylamide; or

(4) any drug which contains any quantity of a substance which the Department, after investigation, has found to have, and by rule designated as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

(n) (Blank).

(o) "Director" means the Director of the Department of State Police or the Department of Professional Regulation or his designated agents.

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

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

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

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

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official

Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-5) "Euthanasia drugs" means sodium pentobarbital or any other Schedule III or Schedule II narcotic or non-narcotic euthanasia drug indicated for animal euthanasia, that has first been approved in writing for use by the Federal Drug Authority, the Department, the Euthanasia Task Force, and the Board.

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

(1) lack of consistency of doctor-patient relationship,

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

(3) quantities beyond those normally prescribed,

(4) unusual dosages,

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

(6) consistent prescribing of habit-forming drugs.

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

(v) "Immediate precursor" means a substance:

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

(2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and

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

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

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

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed

under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(z-1) "Methamphetamine manufacturing chemical" means any of the following chemicals or substances containing any of the following chemicals: benzyl methyl ketone, ephedrine, methyl benzyl ketone, phenylacetone, phenyl-2-propanone, or pseudoephedrine or any of the salts, optical isomers, or salts of optical isomers of the above-listed chemicals.

(aa) "Narcotic drug" means any of the following, whether

produced directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salts, compound, isomer, salt of an isomer, derivative, or preparation of coca leaves including cocaine or ecgonine, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine (for the purpose of this paragraph, the term "isomer" includes optical, positional and geometric isomers).

(bb) "Nurse" means a registered nurse licensed under the Nursing and Advanced Practice Nursing Act.

(cc) (Blank).

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

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

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

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

(hh) "Pharmacist" means any person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act of 1987.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act of 1987.

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

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, podiatrist, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, podiatrist or veterinarian who issues a prescription, a physician assistant who issues a prescription for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and the written guidelines required under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice nurse with prescriptive authority in accordance with

Section 303.05 and a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act.

(nn) "Prescription" means a lawful written, facsimile, or verbal order of a physician licensed to practice medicine in all its branches, dentist, podiatrist or veterinarian for any controlled substance, of a physician assistant for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and the written guidelines required under Section 7.5 of the Physician Assistant Practice Act of 1987, or of an advanced practice nurse who issues a prescription for a Schedule III, IV, or V controlled substance in accordance with Section 303.05 and a written collaborative agreement under Sections 15-15 and 15-20 of the Nursing and Advanced Practice Nursing Act.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance.

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

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

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

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

(720 ILCS 570/321 new)

Sec. 321. Animal control facility and animal shelter

registration. An animal shelter or animal control facility may apply to the Department of Professional Regulation for registration as a euthanasia agency practitioner as provided for in Section 40 for the sole purpose of being authorized to purchase, possess, and administer the Schedule II drug sodium pentobarbital and Schedule III drugs in a manufactured form the sole use of which is to euthanize injured, sick, homeless, or unwanted domestic pets and animals. Any animal shelter or animal control facility so registered shall not permit a person to administer sodium pentobarbital or Schedule III drugs unless the person has demonstrated adequate knowledge of the potential hazards and proper techniques to be used in administering this drug. The Department of Professional Regulation shall promulgate rules that it deems necessary to insure strict compliance with the provisions of this Section. The Department of Professional Regulation may suspend or revoke registration upon determining that the person administering sodium pentobarbital has not demonstrated adequate knowledge as provided in this Section. This authority is granted in addition to any other power to suspend or revoke registration as provided by law.

Section 75. The Veterinary Medicine and Surgery Practice Act of 1994 is amended by changing Section 4 as follows:

(225 ILCS 115/4) (from Ch. 111, par. 7004)

Sec. 4. Exemptions. Nothing in this Act shall apply to any of the following:

(1) Veterinarians employed by the Federal Government while actually engaged in their official duties.

(2) Licensed veterinarians from other states who are invited to Illinois for consultation or lecturing.

(3) Veterinarians employed by colleges or universities

or by state agencies, while engaged in the performance of their official duties.

(4) Veterinary students in an approved college, university, department of a university or other institution of veterinary medicine and surgery while in the performance of duties assigned by their instructors.

(5) Any person engaged in bona fide scientific research which requires the use of animals.

(6) The dehorning, castration, emasculation or docking of cattle, horses, sheep, goats and swine in the course or exchange of work for which no monetary compensation is paid or to artificial insemination and the drawing of semen. Nor shall this Act be construed to prohibit any person from administering, in a humane manner, medicinal or surgical treatment to any animal belonging to such person, unless title has been transferred for the purpose of circumventing this Act. However, any such services shall comply with the Humane Care for Animals Act.

(7) Members of other licensed professions or any other individuals when called for consultation and assistance by a veterinarian licensed in the State of Illinois and who act under the supervision, direction, and control of the veterinarian, as further defined by rule of the Department.

(8) Certified euthanasia technicians.

(Source: P.A. 90-52, eff. 7-3-97.)