

1 AN ACT concerning professional regulation.

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

4 Section 5. The Pharmacy Practice Act of 1987 is amended
5 by changing Section 35.1 as follows:

6 (225 ILCS 85/35.1) (from Ch. 111, par. 4155.1)

7 (Section scheduled to be repealed on January 1, 2008)

8 Sec. 35.1. ~~(a)~~ If any person violates the provision of
9 this Act, the Director may, in the name of the People of the
10 State of Illinois, through the Attorney General of the State
11 of Illinois, or the State's Attorney of any county in which
12 the action is brought, petition, for an order enjoining such
13 violation or for an order enforcing compliance with this Act.
14 Upon the filing of a verified petition in such court, the
15 court may issue a temporary restraining order, without notice
16 or bond, and may preliminarily and permanently enjoin such
17 violation, and if it is established that such person has
18 violated or is violating the injunction, the Court may punish
19 the offender for contempt of court. Proceedings under this
20 Section shall be in addition to, and not in lieu of, all
21 other remedies and penalties provided by this Act.

22 ~~(b)~~ If any person shall practice as a pharmacist or
23 hold himself out as a pharmacist or operate a pharmacy or
24 drugstore, including a mail-order pharmacy under Section 16a,
25 without being licensed under the provisions of this Act, then
26 any licensed pharmacist, any interested party or any person
27 injured thereby may, in addition to the Director, petition
28 for relief as provided in subsection (a) of this Section.

29 Whoever knowingly practices or offers to practice in this
30 State without being appropriately licensed or registered
31 under this Act shall be guilty of a Class A misdemeanor and

1 for each subsequent conviction, shall be guilty of a Class 4
2 felony.

3 ~~(c)~~ Whenever in the opinion of the Department any
4 person not licensed in good standing under this Act violates
5 any provision of this Act, the Department may issue a rule to
6 show cause why an order to cease and desist should not be
7 entered against him. The rule shall clearly set forth the
8 grounds relied upon by the Department and shall provide a
9 period of 7 days from the date of the rule to file an answer
10 to the satisfaction of the Department. Failure to answer to
11 the satisfaction of the Department shall cause an order to
12 cease and desist to be issued forthwith.

13 (Source: P.A. 85-796.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.