

# IADDA

Illinois Alcoholism and  
Drug Dependence Association

## 2007 Legislative Report

95<sup>th</sup> Illinois General Assembly



IADDA

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**IADDA** is a statewide organization established in 1967 representing more than 50 prevention, treatment and recovery agencies, as well as over 200 individuals who are interested in the substance abuse field. The Association advocates for sound public policy that will create healthier families and safer communities. IADDA members educate government officials in Springfield and Washington, and work to increase the public's understanding of substance abuse and addiction.

## Mission

The mission of the Illinois Alcoholism and Drug Dependence Association is to advocate on behalf of its members in support of their efforts to prevent and treat addictions.

## Vision

A healthy society where everyone benefits because alcohol/drug abuse occurs rarely, addicted people have access to effective treatment, more people are in recovery, everyone participates in prevention and health promotion, and our laws, public policies and cultures enhance everyone's well-being.

## 2007 Legislative Session Summary

IADDA and its legislative representatives faced a lengthy session. Over one hundred bills were tracked during 2007, many of them potentially affecting the Association's membership. These pieces of legislation consisted of 62 House Bills, 38 Senate Bills, and 4 other bills — House Resolutions and House Joint Resolutions.



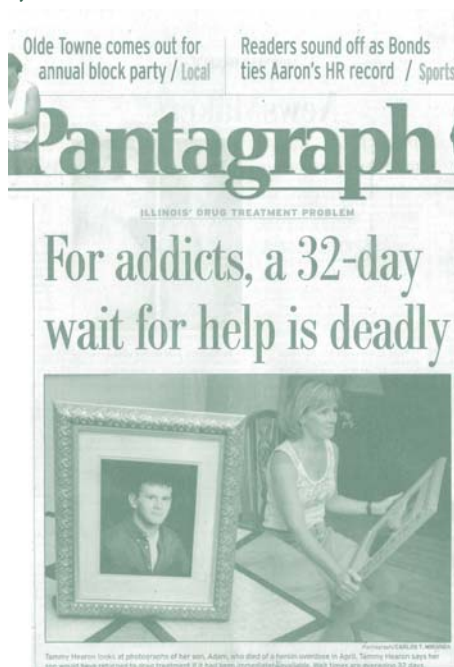
## IADDA Advocacy Day



IADDA held its annual Advocacy Day with 116 attendees on Thursday, April 19, 2007 in Springfield, Illinois from 9:30 a.m. to 3:30 p.m. Registration began at The Inn at 835, followed by orientation from our lobbying team, Consulting 4 Biz. Meetings with legislators at the Capitol Complex took place from 11:30 am – 2:30 p.m. A wrap-up session was held following meetings at the capitol.

## The Waiting List Crisis

The Association commissioned UIC's Survey Research Lab to conduct a survey of Illinois providers to determine the number of people in need of treatment on waiting lists in Illinois. The survey identified that at one point in March of 2007, there were almost 6,500 waiting for available treatment slots. The information obtained in this survey is so critical to the Association's advocacy efforts that a second survey has been commissioned and will be completed in 2008.



*Front page article of Pantagraph on  
Sunday, August 5, 2007.*

## Major Substance Abuse Related Bills - Supported by IADDA

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### HB17

Provides that, based on an examination of a person admitted to a facility of the Department of Human Services, the Department SHALL (instead of may) provide necessary medical, education, and rehabilitation services and SHALL (instead of may) arrange for a referral to appropriate alcoholism or substance abuse services. It also requires that the referral be made to a provider who is able to accept the person and perform a further assessment within a clinically appropriate time.

*(Public Act 95-0281 Effective January 1, 2008)*

### HB622

Amends the Alcoholism and Other Drug Abuse and Dependency Act. Provides that, subject to appropriation, the Division of Alcoholism and Substance Abuse within the Department of Human Services shall establish a program to administer grants to local drug courts. Sets forth the purposes for which grant moneys may be used. Creates the office of the Statewide Drug Court Coordinator within the Division of Alcoholism and Substance Abuse. Sets forth the duties of the Statewide Drug Court Coordinator.

*(Public Act 95-0204 Effective January 1, 2008)*

### HB624

Amends the Liquor Control Act of 1934. Adds a Section heading to a provision setting restrictions on the transfer, possession, and consumption of alcoholic liquor and divides the provision into subsections. Amends the Illinois Vehicle Code. Provides that provisions relating to driving under the influence of alcohol, drugs, or intoxicating compounds also apply to persons driving under the influence of methamphetamine. Provides that, following a statutory summary alcohol-, drug-, or intoxicating compound-related suspension, full driving privileges shall be restored unless the person is otherwise suspended, revoked, or cancelled (rather than otherwise disqualified) under the Code. Provides that, for computing the dates of offenses committed for purposes of making an application for a license after the license has been revoked or for determining penalties for driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, the similar offenses committed on a military installation shall be considered. Provides that the person's driving privileges (rather than full driving privileges) may not be restored until all applicable reinstatement fees have been paid.

*(Public Act 095-0355 Effective January 1, 2008)*

## Major Substance Abuse Related Bills - Supported by IADDA

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### **HB1146**

Amends the General Not For Profit Corporation Act of 1986. Reinserts the provisions of the original bill with the following changes: provides that the limitation of liability for volunteer board members does not include willful and wanton conduct, makes an exception to the limitation of liability for a volunteer board member for actions taken by the Attorney General to protect charitable assets or to enforce laws that apply to trustees of a charity, and removes the definition of “willful or wanton conduct.”

*(Public Act 95-0342 Effective January 1, 2008)*

### **HB2734**

Creates the Drug School Act, mandating the creation of drug treatment and education programs by each county’s State’s Attorney’s Office as an alternative to traditional prosecution and incarceration. Provides that the State’s Attorney in each county where a drug school is established shall have the authority to determine which individuals may be eligible to participate in the drug school in lieu of prosecution. The defendant may be admitted into drug school only upon the agreement of the prosecutor and the defendant. Establishes a funding mechanism for the program.

*(Public Act 95-0160 Effective January 1, 2008)*

### **HB3131**

Amends the Illinois Vehicle Code. Requires courts to report motorists under 21 to the Illinois Secretary of State who are given court supervision for the violating of the Liquor Control Act by possessing, transferring, or consuming alcohol. Authorizes the Illinois Secretary of State to automatically suspend the driving privileges for three months..

*(Public Act 95-0166 Effective January 1, 2008)*

## Major Substance Abuse Related Bills- Supported by IADDA

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### **SB21**

This law amends the Illinois Insurance Code. After January 1, 2008, no major medical policy may exclude coverage for any medical, hospital, or surgical expenses solely on the basis of the insured being intoxicated or under the influence of a narcotic when injured.

*(Public Act 95-0230 Effective January 1, 2008)*

### **SB55**

Amends the Methamphetamine Precursor Control Act. Provides that any person who uses false information or identification in order to acquire a targeted methamphetamine precursor is guilty of a Class 4 felony for a first offense, a Class 3 felony for a second offense, and a Class 2 felony for a third or subsequent offense.

*(Public Act 95-0252 Effective January 1, 2008)*

### **SB129**

Amends the Illinois Controlled Substances Act, enhancing the penalties for people convicted of dealing and manufacturing Fentanyl, a useful pharmaceutical that, when used illegally, has similar effects as heroin.

*(Public Act 95-0259 Effective August 17, 2007)*

### **SB158**

Underscores adults' responsibility for preventing underage drinking, which calls for Class 4 felony charges against parents if allowing underage drinking in their home results in bodily harm. An exception is allowed for a parent/guardian who provides alcohol to underage individuals for religious observance.

*(Public Act 95-0563 Effective August 31, 2007)*

### **SB274**

Amends the Methamphetamine Control and Community Protection Act. Provides that it is a Class 4 (rather than a Class 3) felony to attempt to possess, procure, transport, store, or deliver anhydrous ammonia in an unauthorized container.

*(Public Act 95-0690 Effective January 1, 2008)*

## Major Substance Abuse Related Bills - Supported by IADDA

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### **SB337**

Amends the Probate Act of 1975. Adds to the definition of “disabled person” the following: a person who is diagnosed with fetal alcohol syndrome or fetal alcohol effects.

*(Public Act 95-0561 Effective January 1, 2008)*

### **SB500**

Creates the Smoke Free Illinois Act. Prohibits smoking in public places, places of employment, and governmental vehicles. Requires “No Smoking” signs to be posted and ashtrays to be removed from where smoking is prohibited. Provides that the provisions of the Act shall be enforced and sets forth fines for violations. Prohibits smoking within a minimum distance of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.

*(Public Act 95-0017 Effective January 1, 2008)*

### **SB1625**

Amends the Liquor Control Act of 1934. Defines “alcopop” as a flavored malt beverage or flavored alcoholic beverage. Prohibits the advertising, promotion, or marketing of alcopop beverages to children including, but not limited to, billboards advertising alcopops placed within 500 feet of schools, public parks, amusement parks, and places of worship. Provides that any person who violates the Section is guilty of a business offense and shall be fined \$500 for a first offense and \$1,000 for a second or subsequent offense.

*(Public Act 95-0618 Effective June 1, 2008)*

### **SB1664**

Amends the Community Services Act by requiring the Governor to establish a commission by July 1, 2007, or as soon thereafter as possible, to review funding methodologies, identify gaps in funding, identify revenue and prioritize use of that revenue for community developmental disabilities, mental health, addiction treatment, early intervention and rehabilitation services. Defines the membership of the commission. Requires a final report to the Governor and General Assembly within 12 months of the 1<sup>st</sup> meeting of the commission, but no later than 9-1-08.

*(Public Act 95-0682 Effective October 11, 2007)*

## Major Substance Abuse Related Bills - Supported by IADDA

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### HR76

Creates the House Illinois Health Survey Task Force to study the feasibility of implementing an Illinois Health Survey (a survey of the health status, access to health services, and other health related issues of the Illinois population). Deletes a provision providing that the director/representative of the Illinois Assistive Technology Project may be consulted. Provides that the Task Force may consult with the directors/representatives of projects that specialize in assistive technology services. Provides that the Task Force, with the help of the Department of Public Health, shall submit a written report, addressing issues relating to its feasibility, to all members of the General Assembly, the Governor's office, and relevant State agencies no later than January 11, 2008. *(Resolution Adopted as Amended)*

### HR139

Proclaims October 1 of each year as Methamphetamine Awareness Day in the State of Illinois. *(Resolution Adopted as Amended)*

### HJR41

Urges the Department of Human Services, in collaboration with the Departments of Children and Family Services, Healthcare and Family Services, Corrections, Financial Institutions and Professional Regulation, the Illinois State Board of Education, and the Illinois Planning Council on Developmental Disabilities to complete an assessment of existing State and federal assistance programs involving Fetal Alcohol Spectrum Disorders. *(Resolution Adopted as Amended)*

## Major Substance Abuse Related Bills - Opposed by IADDA

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### SB300

States that a first offender (DUI), who receives statutory summary suspension, shall be issued a monitoring device driver's license, allowing the person to drive as long as the device has been installed on the vehicle. All DUI offenders must be evaluated and ordered to counseling as a condition of their sentence. Judicial Driving Permit (JDP) evaluations will stop. All guilty offenders are required to do an evaluation and treatment if determined. One of the remedies for failing to comply with the Monitoring Device Driver's Permit (MDDP) requirements is the person must be evaluated and treated (if necessary). *(Public Act 95-0400 Effective January 1, 2009)* \*Editor's note: IADDA is currently working with the Illinois Secretary of State; Alliance Against Intoxicated Morotists; and the Illinois Advisory Council on Alcoholism and Other Drug Dependency to amend this legislation.

## Major Substance Abuse Related Bills - No Position by IADDA

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### **HB18**

Amends the School Code. Provides that, beginning 180 days after the effective date of the amendatory Act, each school district shall create and maintain a policy on bullying, which policy must be filed with the State Board of Education. Provides that the policy must be updated every 2 years and filed with the State Board after being updated. Provides that the State Board shall monitor the implementation of these policies. Amends the State Mandates Act to require implementation without reimbursement. Requires each school district to communicate its policy on bullying to its students and their parent or guardian on an annual basis.

*(Public Act 95-0349 Effective August 23, 2007)*

### **HB429**

Amends the Liquor Control Act of 1934. Creates a wine shipper's license for manufacturers seeking to directly ship their product to Illinois. Requires a Commission to review the sale of wine through shipments. The legislation limits a direct wine shipper licensee to only ship, for personal use and not for resale, not more than 12 cases of wine per year to any resident of this State who is 21 years of age or older. It also requires shipping containers to be clearly labeled, with a label created by the State Commission. It also prohibits the shipment of any alcoholic beverage to any person in Illinois not licensed as a distributor, importing distributor, foreign importer, manufacturer, or non-resident dealer.

*(Public Act 95-0634 Effective June 1, 2008)*

### **HB457**

Amends the Illinois Controlled Substances Act. Provides that *Salvia divinorum* is a Schedule I controlled substance.

*(Public Act 95-0239 Effective January 1, 2008)*

Full details at [www.ilga.gov](http://www.ilga.gov).

# Alcopops

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On December 21, 2006, the Illinois Alcoholism and Drug Dependence Association launched a campaign at a news conference at the Capitol to make parents, legislators and community leaders aware of the growing problem of teen-oriented marketing of alcopops. The Association urged lawmakers to prohibit advertising beverages such as Mike's Hard Lemonade, Bacardi Silver and Smirnoff Ice in publications and on broadcasts with a large teen audience. A second press conference followed on January 25, 2007 at the Palmer House Hilton in Chicago.

In an effort to join public officials, service providers, and community members together to bring awareness to the problems of underage drinking, IADDA supported and participated in the 19<sup>th</sup> Annual Community Forums on Substance Abuse during the spring months of 2007. Eleven forums were held throughout the state of Illinois, with alcopops as the focal point.

SB 1625 was introduced by Senator Carol Ronen on Friday, Feb 9, 2007. The bill prohibits alcopop sponsorship of athletic events where the intended audience is primarily youth, and bans billboard advertising of alcopops within 500 feet of schools, public parks, amusement parks and places of worship. The bill passed both Senate and House committees and both chambers unanimously.

On September 14, 2007, SB 1625 was signed into Public Act with an effective date of June 1, 2008. Representatives from Governor Blagojevich's Administration, the legislative sponsors of SB 1625 (Senator Carol Ronen and Representative Greg Harris), and alcohol prevention advocates joined IADDA for a bill signing ceremony at the TASC office in Chicago, IL. The Director of the Illinois Liquor Control Commission Lainie Krozel presented a copy of the signed bill to Senator Ronen and Representative Harris, which will fine companies that promote 'alcopops' to minors \$500 for the first offense and \$1,000 for a second offense.



# Alcopsops In The News

SERVING HARVEY, SOUTH HOLLAND AND COMMUNITIES IN THORNTON TOWNSHIP

## SUNDAY STAR

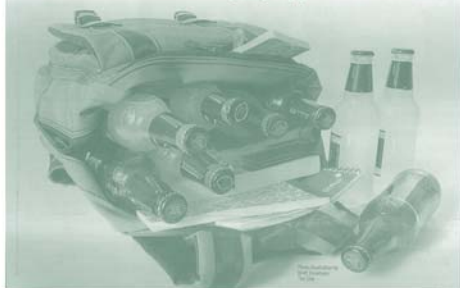
ONE DOLLAR (27th Nov 9)

THE SOUTHLAND'S COMMUNITY NEWSPAPER FOR 105 YEARS

January 26,

### Kid stuff?

Group leads effort against 'alcopsops' – sweet alcoholic drinks they say appeal to minors



#### Teens drink alcohol.

American Medical Association data indicates more than 10 million American youths under age 21 consume beer or liquor. The problem likely never will be eradicated, but one local organization believes the best liquor advertisers can do is avoid marketing to minors.

The South Suburban Council on Alcoholism and Substance Abuse is leading a campaign against "alcopsops," the group brand of flavored alcoholic beverages that Target Corp. has announced will enter young people's lives.

"They're such things like Mike's Hard Lemonade and Bacardi Silver and also Smirnoff's product and so on," says the group's head, Paul Hoff, D.D., who commented, "Basically, what is prohibited by the Illinois Alcoholism and Drug

Dependence Association.

"The alcoholic organization gets sued with the state which is sued in the fight to raise regulation of alcohol advertising and sales.

"Target sells these things on Thursday through Sun. Carol Brown, D-Chicago, said she will introduce legislation to limit alcohol advertising to minors.

"These are ads on billboards and by signposts," Hoff said. "You want to hold them fast to do this, they're not doing this deliberately, and it's not intentional."

Legislation would require ads to have something between advertisements, she said.

See ALCOPSOPS, Page 43

"It tasted so good. I drank one, and then drank another right away. It hit me fast."

Mike's Hard Lemonade is a trademark of the parent of the Mike's Hard and other brands.

#### Good chance to fight underage drinking

Gov. Rod Blagojevich will soon have an opportunity to further combat underage drinking when the legislature sends him unanimously approved legislation that would crack down on the liquor industry's youth-targeted marketing of alcopsops, sweet-tasting alcoholic drinks that include distilled spirits. The governor should sign this important bill into law.

Sponsored by state Sen. Carol Roman, D-Chicago, the measure prohibits — among other things — alcopsop sponsorship of athletic events where the intended audience is primarily youth, and billboard ads within 500 feet of schools, public parks, amusement parks and places of worship.

Alcopsops, such as Smirnoff Ice, Mike's Hard Lemonade and Bacardi Silver, contain distilled hard liquor that can account for up to 49 percent of the alcohol volume. Youth, particularly young girls, report they prefer the sweet taste of alcopsops over the taste of beer or hard liquor, making youth prime targets for an industry-driven alcopsops marketing campaign similar to the tobacco industry's Joe Camel campaign.

Approximately one-third of girls and one-fifth of boys, ages 12 to 18, have tried alcopsops according to a 2004 American Medical Association report. The AMA survey also found that, of the young women who have tried alcopsops, one-fifth have "thrown up or passed out from drinking," one-quarter have "driven after drinking or ridden in a car with a driver who had been drinking," and one-sixth had been sexually active after drinking.

In addition, alcohol advertising affects the rates of consumption. According to a study by the University of Connecticut and Colorado State University, teens who saw more alcohol advertisements, on average, drank more. Each additional advertisement seen increases alcohol consumption by one percent. Sen. Roman's legislation is an important step in tackling harmful marketing of alcoholic beverages to teens. We ask the governor to sign this bill to help keep youth safe.

Sara Moscato Howe  
CEO, Illinois Alcoholism and Drug Dependence Association  
Springfield

Time out!  
Reign on, Hank  
"King of the Hill"  
soldiers on  
smartly into  
11th season

### Big Picture Northwest Focus

# Daily Herald

Friday, January 26, 2007

**Business**  
In reverse  
Ford takes  
biggest  
loss  
ever

dailyherald.com      PUBLISHER: PENELOPE H. STEINBOCK      763-101 • FAX: 763-102      \$0.50

Sweet-flavored alcoholic beverages such as Mike's Hard Lemonade and Bacardi Silver are the targets of upcoming reforms aimed at getting legislators to change the way the state allows the marketing of such drinks.

## Tempting young taste buds

Critics want limits on ads for 'alcopsops' they say are aimed at teens

different kind of alcohol. It was fruity and sweet — nothing like beer, it tasted good. She tried another sip. And then another.

Pretty soon the Chicago teen and her three best friends were downing three six-packs of Bacardi Silver nearly every weekend night.

Billboards and colorful advertisements luring her drink of choice and

BY TONY KUNE  
She tried to feel those

By the time Norma Jones was 14 she had tried beer and hard liquor. The taste of both disgusted her and made her decide drinking wasn't for her. She could hang out with friends and party, but she didn't want to drink. Then someone gave her a sip of

similar candy-flavored malt liquors called alcopsops gave the drink its second. The boys still preferred beer, but they wouldn't shy away from chugging alcopsops at parties if those were what their friends were drinking.

Jones thought she'd simply found a good thing, and she drinking

See TEMPTING, PAGE 8



View from the Rotunda up to the Illinois State Capitol dome in Springfield, IL.

## IADDA STAFF

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**Sara Moscato Howe, MS, CHES**  
Chief Executive Officer

**Peggie Powers**  
Chief Operating Officer

**Pel Thomas**  
Business Manger

**Suzanne McLean**  
Policy Analyst

**Cheri Fiala, CADC**  
External Program Manager -  
Illinois Teen Institute

**Mary Jo Peavy, CSADP, CPPE**  
External Program Manager -  
Operation Snowball, Inc.

**Shelly Musser**  
Special Projects Coordinator

**Laurie Campbell**  
Office Assistant

**Ashley Buchanan**  
Office Assistant



IADDA

937 South Second Street · Springfield, IL 62704  
Phone: 217-528-7335 · Fax: 217-528-7340  
E-mail: [iadda@iadda.org](mailto:iadda@iadda.org)