

AMENDMENT PROPOSED TO

Am # ~~1007~~ 3

COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1007

BY: Representative Howell

Howell, Franks

1 AMEND by deleting lines 311 through 320 and inserting in lieu
2 thereof the following:

3 SECTION 4. (1) Except as provided in subsection (2) of
4 this section, any compound, mixture or preparation containing any
5 detectable quantity of pseudoephedrine, its salts or optical
6 isomers ("pseudoephedrine product") shall only be dispensed, sold
7 or distributed in a pharmacy, and shall be subject to the
8 following requirements:

9 (a) A pseudoephedrine product shall be dispensed, sold
10 or distributed only by a licensed pharmacist or registered
11 pharmacy technician.

12 (b) A person purchasing, receiving or otherwise
13 acquiring a pseudoephedrine product shall produce a photo
14 identification showing the date of birth of the person and shall
15 sign a written log or receipt showing the date of the transaction, *the*
16 name of the person and the amount of the pseudoephedrine product.

17 (c) No person shall purchase, receive or otherwise
18 acquire more than ~~nine~~ ^{NINE} (9) grams of a pseudoephedrine product
19 within any thirty-day period. However, this limit shall not apply
20 to any quantity of a pseudoephedrine product that is dispensed
21 under a valid prescription.

22 (2) Subsection (1) of this section does not apply to any
23 compound, mixture or preparation containing pseudoephedrine that



24 is in liquid, liquid capsule or gel capsule form if
25 pseudoephedrine is not the only active ingredient.

26 (3) A person who violates any provision of this section is
27 guilty of a felony and, upon conviction, shall be punished by a
28 fine of not more than Five Thousand Dollars (\$5,000.00), or by
29 imprisonment in the State Penitentiary for not more than three (3)
30 years, or by both a fine and imprisonment."

31 **AMEND FURTHER** the title by deleting the language beginning
32 after the semicolon on line 11 through the semicolon on line 16
33 and inserting in lieu thereof the following: "TO PROVIDE THAT
34 PRODUCTS CONTAINING PSEUDOEPHEDRINE SHALL ONLY BE SOLD IN A
35 PHARMACY, SHALL BE DISPENSED ONLY BY A LICENSED PHARMACIST OR
36 REGISTERED PHARMACY TECHNICIAN, AND MAY BE PROVIDED TO THE
37 PURCHASER ONLY AFTER THE PURCHASER HAS PRODUCED A PHOTO
38 IDENTIFICATION AND SIGNED A WRITTEN LOG OR RECEIPT SHOWING CERTAIN
39 INFORMATION; TO LIMIT THE AMOUNT OF PRODUCTS CONTAINING
40 PSEUDOEPHEDRINE THAT A PERSON MAY PURCHASE WITHIN A THIRTY-DAY
41 PERIOD; TO PROVIDE A CRIMINAL PENALTY FOR VIOLATIONS OF THE
42 PREVIOUS PROVISIONS;"

