

HCS HB 441 -- CONTROLLED SUBSTANCES (Lipke)

This substitute creates several restrictions regarding the sale of compounds containing ephedrine or pseudoephedrine. The purchase of products containing ephedrine or pseudoephedrine, other than those in liquid or liquid-filled gel capsule form, is limited to nine grams of ephedrine or pseudoephedrine per month. Current law limits only the amount of ephedrine or pseudoephedrine that can be purchased at one time.

Compounds containing these drugs may be sold only by pharmacies. The pharmacy must keep a log of all sales, keep all of these products behind a counter where the public is not permitted, and demand photo identification from the purchaser proving he or she is at least 18 years of age. All records of these sales will be open for inspection by law enforcement officials.

These restrictions do not apply to compounds that are in a liquid or liquid-filled gel capsule form. In addition, the Department of Health and Senior Services may, by rule, grant exemptions for any drug that the department finds is not used in the illegal manufacture of methamphetamine or other controlled substances.

A violation of these provisions is a class A misdemeanor.

The substitute contains an emergency clause.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Unknown less than \$100,000 in FY 2006, FY 2007, and FY 2008. No impact on Other State Funds in FY 2006, FY 2007, and FY 2008.