

SECOND REGULAR SESSION

HOUSE BILL NO. 1073

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ENGLER (Sponsor), NIEVES, GOODMAN, MAYER,
HAMPTON, BIVINS, BRUNS, RICHARD, RUESTMAN, KUESSNER, SKAGGS,
SMITH (14) AND KRATKY (Co-sponsors).

Read 1st time January 14, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3458L.02I

AN ACT

To amend chapter 195, RSMo, by adding thereto two new sections relating to distribution and possession of prescription medication in schools, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 195, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 195.206 and 195.208, to read as follows:

3 **195.206. 1. A person commits the crime of unlawful distribution of prescription**
4 **medication without a prescription in school when a person distributes any prescription**
5 **medication to any individual other than to an individual who has a valid prescription for**
6 **such medication upon the real property comprising a public or private elementary or**
7 **secondary school, or on any school bus. This section shall not apply to any school**
8 **personnel who are responsible for storing, maintaining, or dispensing any prescription**
9 **medication under chapter 338, RSMo. This section shall not limit the use of any**
10 **prescription medication during an emergency under chapter 190, RSMo.**

11 **2. Unlawful distribution of prescription medication without a prescription in school**
is a class A misdemeanor. Any second or subsequent violation of this section is a class D
felony.

195.208. 1. A person commits the crime of unlawful possession of a prescription
2 **medication in school when a person possesses a prescription medication, not otherwise**
3 **listed as a controlled substance, under this chapter upon the real property comprising a**
4 **public or private elementary or secondary school, or on a school bus, unless such person**
5 **has a valid prescription for such medication.**

6 **2. Unlawful possession of a prescription medication in school is a class B**
7 **misdemeanor.**