

FIRST REGULAR SESSION

HOUSE BILL NO. 335

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES TILLEY (Sponsor) AND BYRD (Co-sponsor).

Read 1st time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1159L.011

AN ACT

To amend chapter 577, RSMo, by adding thereto two new sections relating to prescription medication at school, with penalty provisions.

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

Section A. Chapter 577, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 577.625 and 577.628, to read as follows:

**577.625. 1. No person less than eighteen years of age shall distribute upon the real
2 property comprising a public or private elementary or secondary school or school bus a
3 prescription medication to any individual who does not have a valid prescription for such
4 medication. For purposes of this section, prescription medication shall not include
5 medication containing a controlled substance, as defined in section 195.010, RSMo.**

**6 2. The provisions of this section shall not apply to any person less than eighteen
7 years of age authorized to distribute a prescription medication by any school personnel
8 who are responsible for storing, maintaining, or dispensing any prescription medication
9 under chapter 338, RSMo. This section shall not limit the use of any prescription
10 medication by emergency personnel, as defined in section 565.081, RSMo, during an
11 emergency situation.**

**12 3. Any person less than eighteen years of age who violates this section is guilty of
13 a class B misdemeanor for a first offense and a class A misdemeanor for any second or
14 subsequent offense.**

**577.628. 1. No person less than eighteen years of age shall possess upon the real
2 property comprising a public or private elementary or secondary school or school bus**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

3 **prescription medication without a valid prescription for such medication. For purposes**
4 **of this section, prescription medication shall not include medication containing a controlled**
5 **substance, as defined in section 195.010, RSMo.**

6 **2. The provisions of this section shall not apply to any person less than eighteen**
7 **years of age authorized to possess a prescription medication by any school personnel who**
8 **are responsible for storing, maintaining, or dispensing any prescription medication under**
9 **chapter 338, RSMo. This section shall not limit the use of any prescription medication by**
10 **emergency personnel, as defined in section 565.081, RSMo, during an emergency situation.**

11 **3. Any person less than eighteen years of age who violates the provisions of this**
12 **section is guilty of a class C misdemeanor for a first offense and a class B misdemeanor for**
13 **any second or subsequent offense.**