

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute
2 for Senate Bill No. 523, Pages 62 to 63, Section 195.417, Lines 27 to 59, by deleting all of said lines
3 and inserting in lieu thereof the following:
4

5 "4. Within any twelve-month period, no person shall sell, dispense, or otherwise provide to the
6 same individual, and no person shall purchase, receive, or otherwise acquire more than the
7 following amount: any number of packages of any drug product containing any detectable amount
8 of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or
9 salts of optical isomers, either as:

10 (1) The sole active ingredient; or

11 (2) One of the active ingredients of a combination drug; or

12 (3) A combination of any of the products specified in subdivisions (1) and (2) of this
13 subsection;

14
15 in any total amount greater than forty-three and two-tenths grams, without regard to the number of
16 transactions.

17 5. All packages of any compound, mixture, or preparation containing any detectable
18 quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical
19 isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17
20 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the
21 public is not permitted, and only by a registered pharmacist or registered pharmacy technician under
22 section 195.017.

23 [5.] 6. Each pharmacy shall submit information regarding sales of any compound, mixture,
24 or preparation as specified in this section in accordance with transmission methods and frequency
25 established by the department by regulation.

26 7. No prescription shall be required for the dispensation, sale, or distribution of any drug
27 product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine,
28 or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits
29 described in subsections 2, 3, and 4 of this section. The superintendent of the Missouri state
30 highway patrol shall report to the revisor of statutes and the general assembly by February first
31 when the statewide number of methamphetamine laboratory seizure incidents exceeds three hundred
32 incidents in the previous calendar year. The provisions of this subsection shall expire on April first
33 of the calendar year in which the revisor of statutes receives such notification.

34 [6.] 8. This section shall supersede and preempt any local ordinances or regulations,
35 including any ordinances or regulations enacted by any political subdivision of the state. This
36 section shall not apply to the sale of any animal feed products containing ephedrine or any naturally

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1 occurring or herbal ephedra or extract of ephedra.

2 9. Any local ordinances or regulations enacted by any political subdivision of the state prior
 3 to August 28, 2020, requiring a prescription for the dispensation, sale, or distribution of any drug
 4 product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine,
 5 or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits
 6 described in subsections 2, 3, and 4 of this section shall be void and of no effect and no such
 7 political subdivision shall maintain or enforce such ordinance or regulation.

8 [7.] 10. All logs, records, documents, and electronic information maintained for the
 9 dispensing of these products shall be open for inspection and copying by municipal, county, and
 10 state or federal law enforcement officers whose duty it is to enforce the controlled substances laws
 11 of this state or the United States.

12 [8.] 11. All persons who dispense or offer for sale pseudoephedrine and ephedrine products,
 13 except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall
 14 ensure that all such products are located only behind a pharmacy counter where the public is not
 15 permitted.

16 [9.] 12. The penalty for a knowing or reckless violation of this section is found in section
 17 579.060."; and

18
 19 Further amend said bill, Page 100, Section 579.060, Line 21, by inserting after the number
 20 "(4)" the following

21
 22 "Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product
 23 containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of
 24 their salts, optical isomers, or salts of optical isomers, in a total amount greater than twenty-eight
 25 and eight-tenths grams to the same individual within a twelve-month period, unless the amount is
 26 dispensed, sold, or distributed pursuant to a valid prescription; or

27 (5) Purchases, receives, or otherwise acquires within a twelve-month period any number of
 28 packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine,
 29 or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total
 30 amount greater than twenty-eight and eight-tenths grams, without regard to the number of
 31 transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription;
 32 or

33 (6)" ;and

34
 35 Further amend said bill, Page 101, line 27 by deleting the number "(5) and inserting in lieu thereof
 36 the following "[~~(5)~~] (7) "; and

37
 38 Further amend said bill by amending the title, enacting clause, and intersectional references
 39 accordingly.

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