

House Amendment 1047

PAG LIN

1 1 Amend Senate File 169, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. Section 124.212, subsection 4, Code
1 6 2005, is amended by striking the subsection and
1 7 inserting in lieu thereof the following:
1 8 4. PRECURSORS TO AMPHETAMINE AND METHAMPHETAMINE.
1 9 Unless specifically excepted in paragraph "d" or
1 10 listed in another schedule, any material, compound,
1 11 mixture, or preparation which contains any quantity of
1 12 the following precursors to amphetamine or
1 13 methamphetamine, including their salts, optical
1 14 isomers, and salts of their optical isomers:
1 15 a. Ephedrine.
1 16 b. Phenylpropanolamine.
1 17 c. Pseudoephedrine. A person shall not purchase
1 18 more than seven thousand five hundred milligrams of
1 19 pseudoephedrine within a thirty-day period from a
1 20 pharmacy, unless the person has a prescription for a
1 21 pseudoephedrine product in excess of that quantity.
1 22 d. A pseudoephedrine product warehoused by a
1 23 distributor located in this state which is warehoused
1 24 for export to a retailer outside this state is
1 25 excepted from this schedule. A distributor
1 26 warehousing and exporting a pseudoephedrine product
1 27 shall register with the board and comply with any
1 28 rules adopted by the board relating to the diversion
1 29 of pseudoephedrine products from legitimate commerce.
1 30 Sec. 2. NEW SECTION. 124.213 PHARMACY
1 31 PSEUDOEPHEDRINE SALE RESTRICTION == PENALTY.
1 32 A person who purchases more than seven thousand
1 33 five hundred milligrams of pseudoephedrine from a
1 34 pharmacy in violation of section 124.212 within a
1 35 thirty-day period commits a serious misdemeanor.
1 36 Sec. 3. Section 602.8105, subsection 4, Code 2005,
1 37 is amended by striking the subsection.
1 38 Sec. 4. Section 805.8C, subsection 6, Code 2005,
1 39 is amended by striking the subsection.
1 40 Sec. 5. PSEUDOEPHEDRINE == PREEMPTION. A
1 41 political subdivision of the state shall not adopt an
1 42 ordinance regulating the display or sale of products
1 43 containing pseudoephedrine. An ordinance adopted in
1 44 violation of this section is void and unenforceable
1 45 and any enforcement activity of an ordinance in
1 46 violation of this section is void.
1 47 Sec. 6. DRUG POLICY COORDINATOR == REPORT. The
1 48 drug policy coordinator shall report, in a joint
1 49 meeting, to the committee on judiciary of the senate
1 50 and the committee on public safety of the house of
2 1 representatives in January 2006 and in January 2007,
2 2 the effects of this Act on methamphetamine abuse and
2 3 related criminal activity.
2 4 Sec. 7. Sections 126.23A and 714.7C, Code 2005,
2 5 are repealed.
2 6 Sec. 8. EFFECTIVE DATES. This Act takes effect
2 7 sixty days from the date of enactment or July 1, 2005,
2 8 whichever is earlier. However, the portion of the
2 9 section of this Act amending section 124.212,
2 10 subsection 4, which makes all ephedrine products
2 11 schedule V controlled substances, takes effect upon
2 12 enactment.>
2 13
2 14
2 15
2 16 COMMITTEE ON PUBLIC SAFETY
2 17 BAUDLER of Adair, Chairperson
2 18 SF 169.503 81
2 19 jm/pj/1190