

Senate Amendment 3002

PAG LIN

1 1 Amend Senate File 169 as follows:
1 2 [#1.](#) Page 1, by striking lines 12 through 14 and
1 3 inserting the following:
1 4 <c. Pseudoephedrine. A purchaser shall not
1 5 purchase more than six thousand milligrams of
1 6 pseudoephedrine within a thirty-day period from a
1 7 pharmacy, unless the person has a>.
1 8 [#2.](#) Page 1, line 20, by inserting after the word
1 9 <be> the following: <warehoused and sold by a
1 10 distributor and may be>.
1 11 [#3.](#) Page 1, line 21, by inserting after the word
1 12 <counter> the following: <by a retailer>.
1 13 [#4.](#) Page 2, line 16, by inserting after the word
1 14 <logbook.> the following: <The retailer shall keep
1 15 the logbook for a minimum period of two years from the
1 16 date of any purchase.>
1 17 [#5.](#) Page 2, by striking lines 18 through 20 and
1 18 inserting the following: <safety.>
1 19 [#6.](#) Page 2, by striking lines 29 through 30 and
1 20 inserting the following:
1 21 <f. A purchaser shall not purchase more than six
1 22 thousand milligrams of pseudoephedrine from a retailer
1 23 within a>.
1 24 [#7.](#) Page 2, line 32, by striking the word <g.> and
1 25 inserting the following: <2A. a.>
1 26 [#8.](#) By striking page 2, line 34, through page 3,
1 27 line 8, and inserting the following: <agent the
1 28 records of the purchase, sale, or other disposition of
1 29 pseudoephedrine products and also make accessible
1 30 inventory records of such products maintained in
1 31 accordance with rules adopted by the department of
1 32 public safety.>
1 33 [#9.](#) Page 3, by inserting before line 9 the
1 34 following:
1 35 <b. Any certified peace officer shall have access
1 36 to the logbook kept by a retailer pursuant to
1 37 subsection 2, paragraph "d". The department of public
1 38 safety shall adopt rules to administer this
1 39 paragraph.>
1 40 [#10.](#) Page 3, by inserting after line 19 the
1 41 following:
1 42 <____. A retailer or an employee of a retailer
1 43 shall not be civilly liable for acts, omissions, or
1 44 decisions made in good faith under this section.>
1 45 [#11.](#) Page 3, line 24, by striking the words <or a
1 46 purchaser>.
1 47 [#12.](#) Page 3, by inserting after line 27 the
1 48 following:
1 49 <____. A purchaser who commits a violation of
1 50 subsection 2 commits a simple misdemeanor for a first
2 1 violation, a serious misdemeanor for a second
2 2 violation, and an aggravated misdemeanor for a third
2 3 or subsequent violation.
2 4 _____. A purchaser who purchases more than six
2 5 thousand milligrams of pseudoephedrine from a pharmacy
2 6 under section 124.212 or who purchases more than six
2 7 thousand milligrams of pseudoephedrine from a retailer
2 8 under this section within a thirty day period, commits
2 9 an aggravated misdemeanor.>
2 10 [#13.](#) Page 4, line 29, by striking the figure
2 11 "126.23A" and inserting the following: <~~126.23A~~
2 12 ~~126.23B~~>.
2 13 [#14.](#) By striking page 4, line 34, through page 5,
2 14 line 13, and inserting the following:
2 15 <Sec. _____. Section 714.7C, Code 2005, is amended
2 16 by striking the section and inserting in lieu thereof
2 17 the following:
2 18 714.7C THEFT OF PSEUDOEPHEDRINE.
2 19 A person who commits theft of pseudoephedrine is
2 20 guilty of the following:
2 21 1. If the amount of pseudoephedrine is less than
2 22 seven hundred twenty milligrams, the person shall be
2 23 subject to the penalties under section 714.2.
2 24 2. If the amount of pseudoephedrine is seven

2 25 hundred twenty milligrams or more but less than four
2 26 thousand three hundred twenty milligrams, the person
2 27 is guilty of a serious misdemeanor.
2 28 3. If the amount of pseudoephedrine is four
2 29 thousand three hundred twenty milligrams or more but
2 30 less than eight thousand six hundred forty milligrams,
2 31 the person commits an aggravated misdemeanor.
2 32 4. If the amount of pseudoephedrine is eight
2 33 thousand six hundred forty milligrams or more, the
2 34 person commits a class "C" felony.>
2 35 #15. Page 5, lines 18 and 19, by striking the
2 36 words <or a purchaser>.
2 37 #16. Page 6, by inserting after line 6 the
2 38 following:
2 39 <Sec. _____. DRUG POLICY COORDINATOR == REPORT. The
2 40 drug policy coordinator shall report to the judiciary
2 41 committees of the senate and the house of
2 42 representatives in January 2006 and in January 2007,
2 43 the effects of this Act on methamphetamine abuse and
2 44 any related criminal activity.>
2 45 #17. By renumbering as necessary.
2 46
2 47
2 48
2 49 _____
2 49 BOB BRUNKHORST
2 50
3 1
3 2
3 3 _____
3 3 DAVID MILLER
3 4
3 5
3 6
3 7 _____
3 7 KEITH A. KREIMAN
3 8
3 9
3 10
3 11 _____
3 11 HERMAN C. QUIRMBACH
3 12 SF 169.303 81
3 13 jm/cf/1159