

See Judiciary 2/23 Do Pass 3/1 (p. 837)

FEB 9 1990

Judiciary & Law Enforcement
Do Pass 2/12 (p. 419)

HOUSE FILE 2372
BY SIEGRIST

Passed House, Date 2/23/90 (p. 606) Passed Senate, Date 3/15/90 (p. 1096)
Vote: Ayes 96 Nays 0 Vote: Ayes 47 Nays 0
Approved March 27, 1990

A BILL FOR

1 An Act relating to anabolic steroids, and providing a criminal
2 penalty concerning the distribution of anabolic steroids to
3 minors.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 2372

S-5506

1 Amend House File 2372, as passed by the House as
2 follows:
3 1. Page 1, by inserting after line 29 the
4 following:

5 "Sec. ____ . This Act shall not apply to anabolic
6 steroids that are expressly intended for
7 administration through implants to livestock or other
8 nonhuman species, that are approved by the federal
9 food and drug administration for such use."

By JOHN W. JENSEN

S-5506 FILED MARCH 15, 1990
WITHDRAWN (p. 1096)

HF 2372

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1 Section 1. Section 203B.2, Code Supplement 1989, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 1A. "Anabolic steroid" means any anabolic
4 steroid, including, but not limited to oxymetholone,
5 oxandrolone, ethylestrenol, methandrostenolone, stanozolol,
6 nandrolone phenpropionate, nandrolone decanoate, and any other
7 substance designated by the board as an anabolic steroid
8 through the adoption of rules pursuant to chapter 17A.

9 Sec. 2. Section 203B.3, Code Supplement 1989, is amended
10 by adding the following new subsection:

11 NEW SUBSECTION. 23. Selling, dispensing, or distributing;
12 causing to be sold, dispensed, or distributed; or possessing
13 with intent to sell, dispense, or distribute, an anabolic
14 steroid to a person under eighteen years of age, with know-
15 ledge that the anabolic steroid is not necessary for the
16 legitimate treatment of disease pursuant to an order of a
17 physician.

18 Sec. 3. Section 203B.5, subsection 1, Code Supplement
19 1989, is amended to read as follows:

20 1. A person who violates a provision of this chapter,
21 other than a violation of section 203B.3, subsection 23, is
22 guilty of a serious misdemeanor; but if the violation is
23 committed after a conviction of the person under this section
24 has become final, the person is guilty of an aggravated
25 misdemeanor.

26 Sec. 4. Section 203B.5, Code Supplement 1989, is amended
27 by adding the following new subsection:

28 NEW SUBSECTION. 4. A person who violates section 203B.3,
29 subsection 23, commits an aggravated misdemeanor.

30 EXPLANATION

31 This bill amends the Iowa drug, device, and cosmetic Act by
32 prohibiting the distribution of anabolic steroids to minors
33 unless necessary for the treatment of disease. The offense is
34 an aggravated misdemeanor.

35 The bill further provides that the board of pharmacy

1 examiners may expand the definition of anabolic steroid by
2 administrative rules.

HOUSE FILE 2372
FISCAL NOTE

A fiscal note for House File 2372 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2372 prohibits the distribution of anabolic steroids to minors, unless necessary for the treatment of disease. The offense is an aggravated misdemeanor.

The fiscal impact of House File 2372 cannot be estimated because the penalty imposed is for a new crime. Therefore, it is not known how many offenders would be sentenced under this legislation. There are no historical data with which to estimate a fiscal impact. However, persons convicted of an aggravated misdemeanor could be placed under community based corrections' supervision, confined in jail, or sentenced to prison, although the latter is unlikely. The creation of new crimes could increase the criminal caseload of the judiciary.

Sources: Department of Public Health
Department of Corrections
Judicial Department (LSB 7971h, BAL)

FILED FEBRUARY 20, 1990 BY DENNIS PROUTY, FISCAL DIRECTOR

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HOUSE FILE 2372

AN ACT

RELATING TO ANABOLIC STEROIDS, AND PROVIDING A CRIMINAL PENALTY CONCERNING THE DISTRIBUTION OF ANABOLIC STEROIDS TO MINORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 203B.2, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. "Anabolic steroid" means any anabolic steroid, including, but not limited to oxymetholone, oxandrolone, ethylestrenol, methandrostenolone, stanozolol, nandrolone phenpropionate, nandrolone decanoate, and any other substance designated by the board as an anabolic steroid through the adoption of rules pursuant to chapter 17A.

Sec. 2. Section 203B.3, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 23. Selling, dispensing, or distributing; causing to be sold, dispensed, or distributed; or possessing with intent to sell, dispense, or distribute, an anabolic steroid to a person under eighteen years of age, with knowledge that the anabolic steroid is not necessary for the legitimate treatment of disease pursuant to an order of a physician.

Sec. 3. Section 203B.5, subsection 1, Code Supplement 1989, is amended to read as follows:

1. A person who violates a provision of this chapter, other than a violation of section 203B.3, subsection 23, is guilty of a serious misdemeanor; but if the violation is committed after a conviction of the person under this section has become final, the person is guilty of an aggravated misdemeanor.

Sec. 4. Section 203B.5, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A person who violates section 203B.3, subsection 23, commits an aggravated misdemeanor.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2372, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *March 27* 1990

TERRY E. BRANSTAD
Governor

HF 2372