

Senate Study Bill 1025

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S OFFICE
OF DRUG CONTROL POLICY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the regulation of substances which are
2 precursors to amphetamine and methamphetamine and providing a
3 penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1123DP 81
6 jm/sh/8

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1 1 Section 1. Section 124.212, subsection 4, Code 2005, is
1 2 amended by striking the subsection and inserting in lieu
1 3 thereof the following:
1 4 4. PRECURSORS TO AMPHETAMINE AND METHAMPHETAMINE. Unless
1 5 specifically excepted or listed in another schedule, any
1 6 material, compound, mixture, or preparation which contains any
1 7 quantity of the following precursors to amphetamine or
1 8 methamphetamine, including their salts, optical isomers, and
1 9 salts of their optical isomers:
1 10 a. Ephedrine.
1 11 b. Phenylpropanolamine.
1 12 c. Pseudoephedrine.
1 13 Sec. 2. Section 602.8105, subsection 4, Code 2005, is
1 14 amended by striking the subsection.
1 15 Sec. 3. Section 805.8C, subsection 6, Code 2005, is
1 16 amended by striking the subsection.
1 17 Sec. 4. Sections 126.23A and 714.7C, Code 2005, are
1 18 repealed.

EXPLANATION

1 19 This bill makes precursor substances to amphetamine and
1 20 methamphetamine schedule V controlled substances.
1 21 The bill makes any product containing ephedrine,
1 22 phenylpropanolamine, or pseudoephedrine, a schedule V
1 23 controlled substance. This provision would include any
1 24 dietary supplement containing naturally occurring ephedrine.
1 25 Iowa administrative code rule 657=10.31 establishes the
1 26 rules for dispensing a schedule V controlled substance. The
1 27 rule limits the amount and frequency of purchase, requires the
1 28 purchaser be at least 18 years of age, and requires
1 29 presentation of identification and a signature before
1 30 purchase. A schedule V controlled substance does not require
1 31 a prescription, but is not to be distributed other than for a
1 32 medical purpose. The distribution of a schedule V substance
1 33 is regulated by pharmacists, and schedule V substances must be
1 34 kept off public access shelves.
2 1 Any criminal offense related to a schedule V controlled
2 2 substance is punishable as an aggravated misdemeanor pursuant
2 3 to Code section 124.401(1)(d).
2 4 Code sections 126.23A, relating to restrictions on the sale
2 5 and purchase of pseudoephedrine products, and 714.7C,
2 6 providing an enhanced penalty for the theft of a
2 7 pseudoephedrine product, are repealed because all
2 8 pseudoephedrine products will no longer be sold over the
2 9 counter on a retail basis under the bill.
2 10 Current law does not regulate dietary supplements
2 11 containing naturally occurring ephedrine, some products
2 12 containing ephedrine, and all products containing
2 13 phenylpropanolamine. Current law does limit the sale and
2 14 purchase of some pseudoephedrine products to two packages per
2 15 transaction at a retail establishment.
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