

House File 301 - Introduced

HOUSE FILE _____
BY HEATON

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

A BILL FOR

1 An Act relating to the purchase of a pseudoephedrine product.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 1456YH 82
4 jm/gg/14

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1 1 Section 1. Section 126.23A, subsection 1, Code 2007, is
1 2 amended to read as follows:
1 3 1. a. A retailer or an employee of a retailer shall not
1 4 do any of the following:
1 5 (1) Sell a product in violation of section 124.212,
1 6 subsection 4.
1 7 (2) Knowingly sell more than one package of a product
1 8 containing pseudoephedrine to a person in a twenty=four=hour
1 9 period.
1 10 (3) Sell a package of a pseudoephedrine product that can
1 11 be further broken down or subdivided into two or more separate
1 12 and distinct packages or offer promotions where a
1 13 pseudoephedrine product is given away for free as part of any
1 14 purchase transaction.
1 15 b. A retailer or an employee of a retailer shall do the
1 16 following:
1 17 (1) Provide for the sale of a pseudoephedrine product in a
1 18 locked cabinet or behind a sales counter where the public is
1 19 unable to reach the product and where the public is not
1 20 permitted.
1 21 (2) Require a purchaser to present a government=issued
1 22 photo identification card identifying the purchaser prior to
1 23 purchasing a pseudoephedrine product.
1 24 (3) Require the purchaser to sign a logbook ~~and to also~~
1 25 ~~require the purchaser to~~, legibly print in the logbook the
1 26 purchaser's name and address in the logbook, and enter into
1 27 the logbook the purchaser's birthday, date of purchase,
1 28 product name and amount purchased, and the type, origin, and
1 29 identification number of the government=issued photo
1 30 identification card used.
1 31 (4) Determine the signature in the logbook corresponds
1 32 with the name on the government=issued photo identification
1 33 card and determine if other information entered into the
1 34 logbook is correct.
1 35 (5) Keep the logbook ~~twelve months~~ two years from the date
2 1 of the last entry.
2 2 (6) Provide notification in a clear and conspicuous manner
2 3 in a location where a pseudoephedrine product is offered for
2 4 sale stating the following:
2 5 Iowa law prohibits the over=the=counter purchase of more
2 6 than one package of a product containing pseudoephedrine in a
2 7 twenty=four=hour period or of more than seven thousand five
2 8 hundred milligrams of pseudoephedrine within a thirty=day
2 9 period. If you purchase a product containing pseudoephedrine,
2 10 you are required to sign a logbook which ~~may be~~ is accessible
2 11 to law enforcement officers upon request.
2 12 Sec. 2. Section 126.23A, subsection 3, Code 2007, is
2 13 amended to read as follows:
2 14 3. A purchaser shall sign the logbook ~~and also~~, legibly
2 15 print the purchaser's name and address in the logbook, and
2 16 enter into the logbook the purchaser's birthday, date of
2 17 purchase, product name and amount purchased, and the type,
2 18 origin, and identification number of the government=issued
2 19 photo identification card used.
2 20 Sec. 3. Section 126.23A, subsection 5, Code 2007, is
2 21 amended to read as follows:

2 22 5. The logbook may ~~shall~~ be kept in an electronic format
2 23 ~~upon approval~~ approved by the department of public safety.

2 24 EXPLANATION

2 25 This bill relates to the purchase of a pseudoephedrine
2 26 product.

2 27 The bill requires a retailer to keep a logbook of
2 28 pseudoephedrine purchases for two years from the date of the
2 29 last entry. Current law requires a retailer to keep the
2 30 logbook for twelve months from the date of the last entry.

2 31 The bill provides that a retailer shall require that a
2 32 pseudoephedrine purchaser enter into a logbook, in addition to
2 33 the name and address of the purchaser, the purchaser's
2 34 birthday, date of transaction, type and origin of
2 35 government-issued identification used, identification number,
3 1 and the name and amount of pseudoephedrine product purchased.

3 2 The bill also requires the retailer to determine if the
3 3 information entered into the logbook is correct.

3 4 If an employee of a retailer violates the bill, the
3 5 employee commits a simple misdemeanor punishable as a
3 6 scheduled violation pursuant to Code section 805C, subsection
3 7 6. If a retailer violates the bill, the retailer is subject
3 8 to civil penalties pursuant to Code section 126A.23B. The
3 9 bill and current law penalties for a purchaser remain the same
3 10 under Code section 124.213 and Code section 805.C, subsection
3 11 6.

3 12 The bill requires the logbook kept for pseudoephedrine
3 13 purchases to be kept in an electronic format approved by the
3 14 department of public safety. Current law provides that the
3 15 logbook may be kept in an electronic format upon approval by
3 16 the department of public safety.

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