

CCS SS SCS HS HB 470 -- METHAMPHETAMINE MATERIALS

This bill prohibits the sale of more than two packages, or six grams, of any over-the-counter drug having a sole active ingredient of ephedrine, pseudoephedrine, or phenylpropanolamine. The bill also prohibits the sale of three packages, or nine grams, of any combination drug containing ephedrine, pseudoephedrine, or phenylpropanolamine. Packages having a sole active ingredient of ephedrine, pseudoephedrine, or phenylpropanolamine must be kept behind the counter, or within 10 feet of an attended checkout counter and within the view of the checker. This provision does not apply to stores that have an electronic anti-theft system using a detection alarm and product tags on these drugs. The bill supersedes any local ordinance passed on or after December 23, 2002, to the extent the ordinance is more restrictive. Violation of this provision is a class A misdemeanor.

The bill creates the crime of unlawful release of anhydrous ammonia, a class B felony. A person commits the crime when he or she is not the lawful possessor of anhydrous ammonia and releases the chemical into the atmosphere.

The bill also authorizes courts to order a defendant convicted of a drug crime to pay for the testing of the drug at a private lab.