

FIRST REGULAR SESSION

# HOUSE BILL NO. 1189

## 94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EL-AMIN.

Read 1st time March 27, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2321L.02I

### AN ACT

To amend chapter 195, RSMo, by adding thereto one new section relating to the transfer of sodium bicarbonate, with a penalty provision.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 195, RSMo, is amended by adding thereto one new section, to be known as section 195.430, to read as follows:

**195.430. 1. All packages of sodium bicarbonate shall be offered for sale from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician, or if there is no pharmacy, from behind the check-out counter where the public is not permitted.**

**2. Any person purchasing a substantial quantity of sodium bicarbonate shall be at least eighteen years of age.**

**3. The pharmacist or registered pharmacy technician or sales clerk or store attendant shall require any person purchasing, receiving, or otherwise acquiring a substantial quantity of sodium bicarbonate to furnish suitable photo identification showing the date of birth of the person.**

**4. Within ninety days of the enactment of this section, pharmacists and registered pharmacy technicians or sales clerks or store attendants who sell, transfer, or otherwise furnish any substantial quantity of sodium bicarbonate shall implement and maintain a written or electronic log of each transaction. Such log shall include the following information:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 16           **(1) The name and address of the purchaser;**
- 17           **(2) The amount of sodium bicarbonate purchased;**
- 18           **(3) The date of each purchase; and**
- 19           **(4) The name or initials of the pharmacist or registered pharmacy technician or**  
20 **sales clerk or store attendant who dispenses the sodium bicarbonate.**
- 21           **5. Within thirty days of the enactment of this section, all persons who dispense or**  
22 **offer for sale sodium bicarbonate in a pharmacy or behind a check-out counter shall**  
23 **ensure that all such product is located only behind a pharmacy counter or check-out**  
24 **counter where the public is not permitted.**
- 25           **6. The written or electronic log required in subsection 1 of this section shall be**  
26 **available for review by any requesting law enforcement agency.**
- 27           **7. For purposes of this section, "substantial quantity" means at least two ounces**  
28 **of sodium bicarbonate.**
- 29           **8. Any person who knowingly or recklessly violates the provisions of this section**  
30 **shall be guilty of a class A misdemeanor.**

✓