

Senate Bill 24

Senators Hamrick of the 30th, Mullis of the 53rd and Heath of the 31st

A BILL TO BE ENTITLED

AN ACT

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2 To amend Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated,
3 relating to regulation of controlled substances, so as to regulate the sale of products used in
4 the preparation of methamphetamine; to provide for a definition; to prohibit certain activities
5 with respect to such products; to provide for criminal penalties; to provide for related
6 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8

SECTION 1.

9 Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
10 regulation of controlled substances, is amended by adding a new Code section immediately
11 following Code Section 16-13-30.3, to be designated Code Section 16-13-30.4, to read as
12 follows:

13 "16-13-30.4.

14 (a) As used in this Code section, the term 'product used in the preparation of
15 methamphetamine' means any compound, mixture, preparation or drug product containing
16 a dosage of 18 milligrams or more of ephedrine, pseudoephedrine, or
17 phenylpropanolamine, or any of their salts, isomers, or salts of isomers, alone or in a
18 mixture.

19 (b)(1) It shall be unlawful for any person to openly display for sale a product used in the
20 preparation of methamphetamine. Any product used in the preparation of
21 methamphetamine shall be maintained behind the counter, in a locked cabinet, or in
22 another secure location and shall only be distributed for sale by a licensed pharmacist,
23 pharmacy technician, sales clerk, or other retail distributor employee.

24 (2) It shall be unlawful for any person to dispense, sell, or distribute a product used in
25 the preparation of methamphetamine without requiring the individual purchasing,
26 receiving, or otherwise acquiring such product to produce a photo identification showing
27 their date of birth and to sign a written log or receipt showing their signature, printed
28 name, date of transaction, and type and amount of product purchased. Such log or receipt

1 shall be maintained by the person dispensing, selling, or distributing the product for a
2 period of one year from the date of transaction.

3 (c) Any person who violates the provisions of this Code section shall be guilty of a
4 misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment not to exceed six months or both."

6 **SECTION 2.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval.

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.