

House Bill 45

By: Representative Bearden of the 68<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

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

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

12 "16-13-30.4.

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

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

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

1 name, date of transaction, and type and amount of product purchased. Such log or receipt  
2 shall be maintained by the person dispensing, selling, or distributing the product for a  
3 period of one year from the date of transaction.

4 (c) Any person who violates the provisions of this Code section shall be guilty of a  
5 misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than  
6 \$1,000.00 or by imprisonment not to exceed six months or both."

7 **SECTION 2.**

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

10 **SECTION 3.**

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