

House Bill 161

By: Representatives Price of the 48th, Broadrick of the 4th, Newton of the 123rd, Silcox of the 52nd, Cooper of the 43rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to
2 transactions in drug related objects, so as to provide that employees and agents of harm
3 reduction organizations are not subject to certain offenses relating to hypodermic needles;
4 to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to transactions
8 in drug related objects, is amended by revising subsection (c) as follows:

9 "(c) It shall be unlawful for any person or corporation, other than a licensed pharmacist,
10 a pharmacy intern or pharmacy extern as defined in Code Section 26-4-5, or a practitioner
11 licensed to dispense dangerous drugs, or a person employed by or an agent of a harm
12 reduction organization, to sell, lend, rent, lease, give, exchange, or otherwise distribute to
13 any person a hypodermic syringe or needle designed or marketed primarily for human use.
14 It shall be an affirmative defense that the hypodermic syringe or needle was marketed for
15 a legitimate medical purpose. As used in this subsection, the term 'harm reduction
16 organization' means an organization which provides direct assistance and services, such as
17 syringe exchanges, counseling, homeless services, advocacy, drug treatment, and
18 screening, to at-risk individuals to slow the spread of HIV and other infectious diseases
19 among intravenous drug users."

20 style="text-align:center">**SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.