

32 §13796. RETAIL SALE OF TARGETED METHAMPHETAMINE PRECURSORS

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1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Package" means an item packaged and marked for retail sale that is not designed to be broken down or subdivided for the purpose of retail sale. [2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF).]

B. "Retailer" or "retail store" means a person or business entity engaged in this State in the business of selling products to the general public on a retail basis, including pharmacies. [2007, c. 402, Pt. DD, §32 (AMD).]

C. "Sale" or "sold" includes barter, exchange, transfer and gift. [2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF).]

[2007, c. 402, Pt. DD, §32 (AMD) .]

2. Restrictions on packaging. The following restrictions apply to packaging targeted methamphetamine precursors.

A. A targeted methamphetamine precursor may not be sold in a package containing more than 3 grams. [2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF).]

B. A targeted methamphetamine precursor may not be sold unless in a blister package, each blister containing not more than 2 average adult doses, except in single-dose packages of not more than 60 milligrams. [2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF).]

[2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF) .]

3. Restrictions on the sale of targeted methamphetamine precursors. The following restrictions on location in the retail store, manner of sale and amount of sale apply to sales of targeted methamphetamine precursors.

A. A retailer may not sell more than 3 packages of a targeted methamphetamine precursor per transaction. [2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF).]

B. Except with regard to single-dose packages of not more than 60 milligrams that are kept within 30 feet and in direct line of sight of a staffed cash register or store counter, a retailer must keep targeted methamphetamine precursors in a location that is locked or otherwise not accessible by customers. [2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF).]

C. Except with regard to single-dose packages of not more than 60 milligrams that are kept within 30 feet and in direct line of sight of a staffed cash register or store counter, the sale of targeted methamphetamine precursors must be completed by:

(1) A licensed pharmacist or licensed pharmacy technician; or

(2) An employee of the retailer who accepts payment for the targeted methamphetamine precursor as long as:

(a) The employee works under the direct supervision of a pharmacist in the pharmacy area of the retail store; and

(b) A licensed pharmacist or licensed pharmacy technician has given individual, express approval for the purchase. [2007, c. 402, Pt. DD, §33 (AMD).]

[2007, c. 402, Pt. DD, §33 (AMD) .]

4. Exceptions. The provisions of this section do not apply to a targeted methamphetamine precursor that is obtained by prescription or by sale or transfer in the regular course of lawful business to a veterinarian, physician, pharmacist, retail distributor, wholesaler, manufacturer, warehouse operator or common carrier or an agent of that person or entity.

[2005, c. 430, §8 (NEW); 2005, c. 430, §10 (AFF) .]

SECTION HISTORY

2005, c. 430, §8 (NEW). 2005, c. 430, §10 (AFF). 2007, c. 402, Pt. DD, §§32, 33 (AMD).

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