



ADOPTED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 941

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H941-ASA-58 [v.1]

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Comm. Sub. [NO]
Amends Title [YES]
First Edition

CHANGES TITLE

Date June 12, 2012

Senator Newton

1 moves to amend the bill on page 1, lines 2 – 21
2 by rewriting those lines to read:

3 "AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF
4 PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE
5 TRANSACTION LIMITS, AND TO CLARIFY THE IDENTIFICATION AND
6 ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE
7 PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON
8 METHAMPHETAMINE ABUSE.

9 The General Assembly of North Carolina enacts:

10 SECTION 1. G.S. 90-113.53 reads as rewritten:

11 '§ 90-113.53. Pseudoephedrine transaction limits.

12 (a) No person shall deliver to any one person, attempt to deliver to any one person,
13 purchase, or attempt to purchase at retail ~~more than two packages containing a combined total~~
14 ~~of~~ more than 3.6 grams of any pseudoephedrine products per calendar day. This limit does not
15 apply if the product is dispensed under a valid prescription.

16 (b) No person shall purchase at retail ~~more than three packages containing a combined~~
17 ~~total of~~ more than 9 grams of pseudoephedrine products within any 30-day period. This limit
18 does not apply if the product is dispensed under a valid prescription.

19 (c) This section does not apply to any pseudoephedrine products that are in the form of
20 liquids, liquid capsules, gel capsules, or pediatric products labeled pursuant to federal
21 regulation primarily intended for administration to children under 12 years of age according to
22 label instruction, except as to those specific products for which the Commission issues an order
23 pursuant to G.S. 90-113.58 subjecting the product to requirements under this Article.'

24 SECTION 2. G.S. 90-113.52(c) reads as rewritten:

25 '(c) A pseudoephedrine product may be sold at retail without a prescription only to a
26 person at least 18 years of age. The retailer shall require every retail purchaser of a
27 pseudoephedrine product to furnish ~~photo identification~~ a valid, unexpired, government-issued
28 photo identification and to provide, in print or orally, a current valid personal residential
29 address. If the retailer has reasonable grounds to believe that the prospective purchaser is under
30 18 years of age, the retailer shall require the prospective purchaser to furnish photo
31 identification showing the date of birth of the person. The name and address of every purchaser
32 shall be entered in a record of disposition of pseudoephedrine products to the consumer on a



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1 form approved by the Commission. The record of disposition shall also identify each
2 pseudoephedrine product purchased, including the number of grams the product contains and
3 the purchase date of the transaction. The retailer shall require that every purchaser sign the
4 form attesting to the validity of the information. The form approved by the Commission shall
5 be constructed so that it allows for entry of information in electronic format, including
6 electronic signature. The form shall also be constructed and maintained so as to minimize
7 disclosure of personal information to unauthorized persons and shall contain a statement in at
8 least 10 point boldface type at the top of every page substantially similar to the following:
9 "~~NORTH CAROLINA LAW STRICTLY PROHIBITS THE PURCHASE OF MORE THAN~~
10 ~~TWO PACKAGES OF CERTAIN PRODUCTS CONTAINING PSEUDOEPHEDRINE (3.6~~
11 ~~GRAMS TOTAL) PER DAY, AND MORE THAN THREE PACKAGES (9 GRAMS~~
12 ~~TOTAL) OF CERTAIN PRODUCTS CONTAINING PSEUDOEPHEDRINE WITHIN A~~
13 ~~30-DAY PERIOD. BY MY SIGNATURE, I ATTEST THAT THE INFORMATION I HAVE~~
14 ~~PROVIDED IN CONNECTION WITH THIS TRANSACTION IS TRUE AND CORRECT~~
15 ~~AND THAT THIS TRANSACTION DOES NOT EXCEED THE PURCHASE~~
16 ~~RESTRICTIONS. I ACKNOWLEDGE THAT KNOWING AND WILLFUL VIOLATION OF~~
17 ~~THE PURCHASE RESTRICTIONS OR THE FURNISHING OF FALSE INFORMATION IN~~
18 ~~CONNECTION THEREWITH MAY SUBJECT ME TO CRIMINAL PENALTIES."~~ If the
19 form attesting to the validity of this information is to be signed by the purchaser in electronic
20 format, the retailer may choose to display in a clear and conspicuous manner the statement on a
21 sign to be placed immediately adjacent to the device on which the electronic signature will be
22 obtained, in lieu of including the full statement in electronic format. If the retailer chooses to
23 display the statement on a sign rather than in electronic format, the retailer shall: (i) instruct the
24 purchaser prior to signing to read the statement; and (ii) include on the form for signature
25 contained in the electronic device a statement substantially similar to the following: "I have
26 read, understand, and agree with the statement just shown to me concerning the requirements
27 under State law pertaining to pseudoephedrine purchases." Display of the sign in this manner
28 shall satisfy the signage requirements of G.S. 90-113.54.persons.'

29 SECTION 3. This act is effective when it becomes law."

SIGNED


Amendment Sponsor

ADOPTED

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

47-0

FAILED

TABLED

Sarah Clapp
6.12.12