

1 State of Arkansas As Engrossed: H2/23/15 H2/27/15

2 90th General Assembly

# A Bill

3 Regular Session, 2015

HOUSE BILL 1292

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5 By: Representatives Leding, Ballinger, Baltz, Bell, Bentley, Brown, Copeland, Cozart, Deffenbaugh,  
6 Della Rosa, C. Douglas, Farrer, C. Fite, L. Fite, V. Flowers, M. Gray, Harris, Hickerson, G. Hodges,  
7 Holcomb, House, Ladyman, Lampkin, Lemons, Lowery, D. Meeks, Murdock, B. Overbey, Petty,  
8 Richmond, Scott, B. Smith, Sullivan, Tosh, Vaught, *Lundstrum, Richey*

9 By: Senators Bledsoe, Caldwell, E. Cheatham, J. Cooper, J. English, Files, Flippo, S. Flowers, J.  
10 Hendren, Hester, Irvin, B. Johnson, G. Stubblefield, Teague, J. Woods, *Elliott*

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## For An Act To Be Entitled

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13 AN ACT TO AMEND THE LAW REGARDING THE REAL-TIME  
14 ELECTRONIC LOGBOOK; TO DECLARE AN EMERGENCY; AND FOR  
15 OTHER PURPOSES.

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## Subtitle

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19 TO AMEND THE LAW REGARDING THE REAL-TIME  
20 ELECTRONIC LOGBOOK; AND TO DECLARE AN  
21 EMERGENCY.

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 *SECTION 1. Arkansas Code § 5-64-1106 is amended to read as follows:*  
27 *5-64-1106. Real-time electronic logbook.*

28 *(a)(1)(A) ~~Subject to available funding, on On or before ~~May 15, 2008~~~~*  
29 *September 4, 2015, the Arkansas Crime Information Center shall provide*  
30 *pharmacies in this state access to a real-time electronic logbook for the*  
31 *purpose of entering into the real-time electronic logbook any transaction*  
32 *required to be reported by § 5-64-1104.*

33 *(B) The real-time electronic logbook shall be installed,*  
34 *operated, and maintained free of any one-time or recurring charge to a*  
35 *pharmacy or law enforcement agency.*

36 *(C) The real-time electronic logbook shall be able to*



1 communicate in real time with similar systems operated in other states and  
2 similar systems containing information from more than one (1) state.

3 (2) *The real-time electronic logbook shall have the capability*  
4 *to:*

5 (A) ~~ealculate~~ Calculate both state and federal ephedrine,  
6 pseudoephedrine, or phenylpropanolamine purchase limitations;

7 (B) Prevent the completion of a sale of a product  
8 containing ephedrine, pseudoephedrine, or phenylpropanolamine that would  
9 violate state or federal law regarding the purchase of a product containing  
10 ephedrine, pseudoephedrine, or phenylpropanolamine;

11 (C) Generate a stop sale alert that shall be a  
12 notification to the pharmacy that completion of the sale would result in a  
13 seller or purchaser violating the sales quantity limits established by state  
14 or federal law; and

15 (D) In real-time, block retail sales of products  
16 containing ephedrine, pseudoephedrine, and phenylpropanolamine based on sales  
17 data contained in systems in other states.

18 (b)(1) *The center may contract with a private vendor to implement this*  
19 *section.*

20 (2) If the center contracts with a private vendor under  
21 subdivision (b)(1) of this section, the vendor of the real-time electronic  
22 logbook shall forward state transaction records in the real-time electronic  
23 logbook to the center on a daily basis and provide real-time access to law  
24 enforcement agencies to real-time electronic logbook information through an  
25 online portal.

26 (3) In selecting a vendor for the real-time electronic logbook,  
27 the Arkansas Crime Information Center shall consider the cost of the real-  
28 time electronic logbook as forty percent (40%) or more.

29 (c) *The center shall not charge a pharmacy any fee:*

30 (1) *To support the establishment or maintenance of the real-time*  
31 *electronic logbook; or*

32 (2) *For any computer software required to be installed as part*  
33 *of the real-time electronic logbook.*

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35 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that the State of Arkansas has

1 implemented its own state-operated real-time electronic logbook for  
2 pseudoephedrine sale tracking that cannot share data from this system with  
3 other states; that a real-time electronic logbook with the ability to be  
4 shared across state lines could eliminate the ability of individuals to  
5 travel from state to state to purchase pseudoephedrine for the purpose of  
6 manufacturing methamphetamine; and that this act is immediately necessary  
7 because this act could save the lives of citizens of Arkansas by reducing or  
8 eliminating domestic manufacturing of methamphetamine and may spare thousands  
9 of Arkansans from the devastation caused from methamphetamine addiction.  
10 Therefore, an emergency is declared to exist, and this act being immediately  
11 necessary for the preservation of the public peace, health, and safety shall  
12 become effective on:

13 (1) The date of its approval by the Governor;

14 (2) If the bill is neither approved nor vetoed by the Governor,  
15 the expiration of the period of time during which the Governor may veto the  
16 bill; or

17 (3) If the bill is vetoed by the Governor and the veto is  
18 overridden, the date the last house overrides the veto.

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