



General Assembly

January Session, 2023

**Committee Bill No. 5197**

LCO No. 5799



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT ALLOWING EMERGENCY CONTRACEPTION TO BE SOLD AND DISPENSED VIA VENDING MACHINES LOCATED AT INSTITUTIONS OF HIGHER EDUCATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section,  
2 (1) "emergency contraception" means a drug, or a combination of  
3 drugs, approved by the federal Food and Drug Administration to  
4 prevent pregnancy as soon as possible following (A) unprotected  
5 sexual intercourse, or (B) a known or suspected contraceptive failure,  
6 and (2) "institution of higher education" has the same meaning as  
7 provided in section 10a-34 of the general statutes.

8 (b) Emergency contraception may be sold in a vending machine,  
9 which vending machine shall be (1) owned and operated by a business  
10 that has obtained from the Department of Consumer Protection a  
11 permit for each vending machine in which such business offers  
12 emergency contraception for sale, and (2) located on the campus of an  
13 institution of higher education in the state. If an applicant seeks to  
14 locate two or more vending machines selling emergency contraception  
15 at a single campus of an institution of higher education, only one

16 permit to sell such emergency contraception shall be required. Any  
17 person who is not licensed as a pharmacy and wishes to sell  
18 emergency contraception in a vending machine located on the campus  
19 of an institution of higher education shall apply to the department, in a  
20 form and manner prescribed by the Commissioner of Consumer  
21 Protection, to obtain a permit to sell emergency contraception. Such  
22 emergency contraception shall be labeled and packaged in accordance  
23 with state and federal law.

24 (c) (1) Each vending machine offering emergency contraception  
25 pursuant to subsection (b) of this section shall be individually  
26 registered with the department, and each application to register a  
27 vending machine offering emergency contraception shall designate an  
28 individual who shall be responsible for properly maintaining such  
29 vending machine.

30 (2) Each person who registers a vending machine pursuant to  
31 subdivision (1) of this subsection, and the individual designated as the  
32 individual responsible for properly maintaining the registered vending  
33 machine, shall ensure that such vending machine (A) maintains the  
34 proper temperature and humidity for the emergency contraception  
35 offered in such vending machine as required by the original  
36 manufacturer of such emergency contraception, (B) only contains  
37 emergency contraception that remains in the original containers  
38 provided by the manufacturers of such emergency contraception, (C)  
39 only offers emergency contraception that is unexpired and  
40 unadulterated, (D) only offers emergency contraception that is not  
41 subject to a recall and, if such emergency contraception is the subject of  
42 a recall, such emergency contraception is promptly removed from such  
43 vending machine, (E) only contains emergency contraception, (F) has a  
44 clear and conspicuous written statement attached to such vending  
45 machine disclosing the name, address and toll-free telephone number  
46 of the owner and operator of such vending machine, (G) has a clear  
47 and conspicuous written statement attached to such vending machine  
48 advising a consumer to check the expiration date of the emergency

49 contraception contained in such vending machine before the consumer  
50 uses such emergency contraception, and (H) has attached to such  
51 vending machine, in a size and prominent location visible to  
52 consumers, a written notice stating "Product tampering or expired  
53 product? Notify the Department of Consumer Protection, Drug  
54 Control Division, by calling (telephone number of the toll-free  
55 telephone line established by the department pursuant to section 21a-2  
56 of the general statutes)".

57 (d) Any person who violates any provision of this section shall be  
58 fined not more than one thousand dollars per violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

**PH**      *Joint Favorable*