

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1585

By: Weaver

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5
6 AS INTRODUCED

7 An Act relating to unused medication; amending 63
8 O.S. 2011, Section 2-309F, as amended by Section 2,
9 Chapter 340, O.S.L. 2013 (63 O.S. Supp. 2019, Section
10 2-309F), which relates to the central repository;
11 prohibiting certain regulation; prohibiting certain
12 tax, fee or assessment; allowing certain funding; and
13 providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2-309F, as
16 amended by Section 2, Chapter 340, O.S.L. 2013 (63 O.S. Supp. 2019,
17 Section 2-309F), is amended to read as follows:

18 Section 2-309F. A. The central repository provided by the
19 Anti-Drug Diversion Act shall:

20 1. Be capable of providing the collected information in forms
21 required by the Oklahoma State Bureau of Narcotics and Dangerous
22 Drugs Control, including but not limited to, dispensations by
23 prescriber name or registration number, dispenser name or
24 registration number, recipient name or identification number, type
of substance, frequency, quantity, and location of dispensation;

1 2. Provide the Bureau with continual, twenty-four-hour per day,
2 on-line access to the collected information;

3 3. Secure the collected information against access by
4 unauthorized persons;

5 4. Provide the Bureau, in a reasonable time, with all collected
6 information in a format readily usable by the Bureau, in the event
7 the relationship between the state and central repository is
8 terminated; and

9 5. Not withhold access to the collected information for any
10 reason other than failure of the Bureau to timely pay agreed fees
11 and charges for use of the central repository.

12 B. The Bureau is authorized to enter into a contract with a
13 vendor to serve as the central repository provided for in the Anti-
14 Drug Diversion Act or to purchase the necessary equipment to create
15 the central repository within the Bureau. The Bureau is authorized
16 to enter into agreements and contracts with vendors as necessary to
17 facilitate the electronic transmission of data contained within the
18 central repository to registrants and other persons as provided for
19 in Section 2-309D of this title. The central repository shall not
20 be subject to the provisions of Sections 34.6 through 34.33 of Title
21 62 of the Oklahoma Statutes and shall be maintained and controlled
22 by personnel of the Bureau pursuant to the confidentiality
23 requirements provided for in Section 2-309D of this title.
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1 C. A program to accept unused medication by a business or other
2 entity that complies with state and federal law shall not be subject
3 to regulation by a municipality, county or political subdivision. A
4 municipality, county or political subdivision shall not have the
5 authority to impose a tax, fee, assessment or charge on a consumer,
6 business or other entity to pay for or support a program to accept
7 unused medication in the municipality, county or political
8 subdivision's jurisdiction or to require a business or other entity
9 to establish, pay for or operate a program to accept unused
10 medication in the municipality, county or political subdivision's
11 jurisdiction. Nothing in this section shall prohibit a
12 municipality, county or political subdivision from using money in
13 their general revenue to operate a program to accept unused
14 medication.

15 SECTION 2. This act shall become effective November 1, 2020.

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