

HOUSE BILL 1663

By Todd

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 4, relative to electronically recording sales of immediate methamphetamine precursors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-431, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) The pharmacist, or any pharmacy technician or pharmacy intern under the supervision of the pharmacist, shall require any person purchasing a nonexempt product that contains any immediate methamphetamine precursor to present valid government issued identification at the point of sale. The pharmacist, pharmacy technician or pharmacy intern shall maintain an electronic record of the sale under this subsection (d). The electronic record shall include the date purchased; the name, date of birth, and address of purchaser; purchaser identification type, number and issuing state or agency, such as driver license state and number; name and quantity of product purchased; and the identity, such as name, initials, or identification code, of the dispensing pharmacist, pharmacy technician or pharmacy intern. The electronic record shall also be maintained in a manner that allows for the determination of the equivalent number of packages purchased and total quantity of base ephedrine or pseudoephedrine purchased. The electronic record shall be submitted electronically to the Tennessee bureau of investigation in real-time and in compliance with Tennessee bureau of investigation electronic specifications. The obligation of meeting the requirements of this subsection (d) rests with the pharmacist.

SECTION 2. Tennessee Code Annotated, Section 39-17-431, is amended by adding the following language as a new subsection (e) and appropriately redesignating the existing subsection (e) and remaining subsections accordingly:

(e) The Tennessee bureau of investigation shall establish and administer a state electronic purchase log that is capable of checking compliance against all state, local and federal laws, including interfacing with other states to ensure comprehensive compliance. The log shall be kept for a period of two (2) years and be subject to random and warrantless inspection by city, county, or state law enforcement officers. The state electronic log shall be composed of the purchase information obtained pursuant to subsection (d).

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it and applies to the reporting of information regarding applicable sales on or after this date.