

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 942
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30543-SAz-21 (01/03)

Short Title: Pseudoephedrine Record Keeping Clarification.

(Public)

Sponsors: Representative Horn.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR
3 PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT
4 COMMITTEE ON METHAMPHETAMINE ABUSE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 90-113.52(c) reads as rewritten:

7 "(c) A pseudoephedrine product may be sold at retail without a prescription only to
8 person at least 18 years of age. The retailer shall require every retail purchaser of a
9 pseudoephedrine product to furnish photo identification. If the retailer has reasonable grounds
10 to believe that the prospective purchaser is under 18 years of age, the retailer shall require the
11 prospective purchaser to furnish photo identification showing the date of birth of the person.
12 The name and address of every purchaser shall be entered in a record of disposition of
13 pseudoephedrine products to the consumer on a form approved by the Commission. The record
14 of disposition shall also identify each pseudoephedrine product purchased, including the
15 number of grams the product contains and the purchase date of the transaction. The retailer
16 shall require that every purchaser sign the form attesting to the validity of the information. The
17 form approved by the Commission shall be constructed so that it allows for entry of
18 information in electronic format, including electronic signature. The form shall also be
19 constructed and maintained so as to minimize disclosure of personal information to
20 unauthorized persons and shall contain a statement in at least 10-point boldface type at the top
21 of every page substantially similar to the following: "NORTH CAROLINA LAW STRICTLY
22 PROHIBITS THE PURCHASE OF MORE THAN TWO PACKAGES OF CERTAIN
23 PRODUCTS CONTAINING PSEUDOEPHEDRINE (3.6 GRAMS TOTAL) PER DAY, AND
24 MORE THAN THREE PACKAGES (9 GRAMS TOTAL) OF CERTAIN PRODUCTS
25 CONTAINING PSEUDOEPHEDRINE WITHIN A 30-DAY PERIOD. BY MY SIGNATURE,
26 I ATTEST THAT THE INFORMATION I HAVE PROVIDED IN CONNECTION WITH
27 THIS TRANSACTION IS TRUE AND CORRECT AND THAT THIS TRANSACTION
28 DOES NOT EXCEED THE PURCHASE RESTRICTIONS. I ACKNOWLEDGE THAT
29 KNOWING AND WILLFUL VIOLATION OF THE PURCHASE RESTRICTIONS OR THE
30 FURNISHING OF FALSE INFORMATION IN CONNECTION THEREWITH MAY
31 SUBJECT ME TO CRIMINAL PENALTIES." If the form attesting to the validity of this
32 information is to be signed by the purchaser in electronic format, the retailer may choose to
33 display in a clear and conspicuous manner the statement on a sign to be placed immediately
34 adjacent to the device on which the electronic signature will be obtained, in lieu of including
35 the full statement in electronic format. If the retailer chooses to display the statement on a sign



1 rather than in electronic format, the retailer shall: (i) instruct the purchaser prior to signing to
2 read the statement; and (ii) include on the form for signature contained in the electronic device
3 a statement substantially similar to the following: "I have read, understand, and agree with the
4 statement just shown to me concerning the requirements under State law pertaining to
5 pseudoephedrine purchases." Display of the sign in this manner shall satisfy the signage
6 requirements of G.S. 90-113.54.~~persons.~~

7 **SECTION 2.** This act is effective when it becomes law.