



## 2011 ASSEMBLY BILL 203

July 20, 2011 – Introduced by Representatives JORGENSEN, PASCH, BIES, DOYLE and BEWLEY, cosponsored by Senators HANSEN, LASSA and SCHULTZ. Referred to Committee on Criminal Justice and Corrections.

1     **AN ACT** *to amend* 961.41 (3j) of the statutes; **relating to:** pseudoephedrine  
2           purchases.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a drug, or controlled substance, is classified in one of five separate schedules. The classification is based on: 1) whether there is a currently accepted medical use for the drug; 2) the drug's potential for being abused; and 3) the nature of the psychological or physical dependence that use of the drug may produce. Controlled substances that have a high potential for abuse and no currently accepted medical use are included in schedule I. Controlled substances that have an accepted medical use and that have the lowest potential for abuse and produce the least dependence when compared with other controlled substances are included in schedule V. In general, a schedule I controlled substance may not be dispensed, even with a prescription. A schedule II, III, or IV controlled substance may be dispensed, but only with a prescription. A schedule V controlled substance may be dispensed without a prescription, but only a registered pharmacist or, with regard to pseudoephedrine, a person working under the direction of a registered pharmacist, may sell it at retail. In addition, the pharmacist must record the name and address of the purchaser of a schedule V controlled substance and the quantity of the product sold.

Pseudoephedrine products are classified as schedule V controlled substances and current law imposes restrictions on the sale of pseudoephedrine products. One restriction prohibits a person, except a physician, dentist, veterinarian, or pharmacist, from purchasing, without authorization from a physician, dentist, or

