



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, (1)
2 "emergency contraception" means a drug, or a combination of drugs,
3 approved by the federal Food and Drug Administration to prevent
4 pregnancy as soon as possible following (A) unprotected sexual
5 intercourse, or (B) a known or suspected contraceptive failure, and (2)
6 "institution of higher education" has the same meaning as provided in
7 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 permit
11 for each vending machine in which such business offers emergency
12 contraception for sale, and (2) located on the campus of an institution of
13 higher education in the state. If an applicant seeks to locate two or more
14 vending machines selling emergency contraception at a single campus

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

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

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

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

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

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

HED *Joint Favorable*